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THE  
HISTORY  
OF  
THE PAPACY,  
TO THE  
PERIOD OF THE REFORMATION.

BY THE  
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# HISTORY OF THE PAPACY.

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## CHAPTER IV.

FROM NICHOLAS I. TO THE ERA OF GREGORY VII.

Soon after the middle of the ninth century we see the structure of the papacy beginning to rise from the foundation which had been already laid; but its progress was often almost imperceptible, and strongly broken by impediments and reverses, resembling, in this respect, not exactly the steady and regular rising of an edifice, but rather the rising tide, which sometimes appears to be stationary, or even to recede, while yet on the whole it is making a real and sure advance.

We now proceed to review the progress of this spiritual dominion, with its various acts of usurpation from the middle of the ninth century to the middle of the eleventh.

During the weak administration of Louis I. (the Pious), and the disorders which ensued upon the division of the empire among his sons, the bishops acted a considerable part in the deposition and restoration of sovereigns in the Frankish dominions, their authority in the matter having been by themselves affirmed, and by the people generally admitted, to be

of the highest significance. Even under Louis I., the style of address from the monarch to the Roman pontiff was remarkably respectful and submissive. At the beginning of the reign of Louis II., Benedict III. was elected by the more powerful party in Rome, against the will of the emperor and his commissioners. The two brothers, Louis the German, and Charles the Bald, in the course of their quarrels, accused each other to him; and each, in a manner, implored his judicial decision against the other. Under these circumstances, how could a Roman bishop mistake the office which was proposed to his ambition, or how could he fail to discover the most likely means of attaining it?

A. D. 858,  
Nicholas I.

In 858, after these events, and when the empire was beginning to recover from the effects of their distractions, Nicholas I. succeeded to the Roman see, upon the death of Benedict III. Recognised as the chief of those bishops who had now become so powerful in their relations to temporal sovereigns, and already regarded by these bishops as the legislative head of the new theocracy which they found to be springing up, Nicholas felt himself enabled to assume a position of superiority with regard to the monarchs, and especially to the emperor, Louis II., who was the temporal sovereign of Italy.

The policy of the Roman pontiff was now to establish in the minds of princes and people the maxim, for which the way had been thus well prepared, that the head of the Church was also the superior of temporal sovereigns. Having learnt that the Church was their mistress, it remained for them to admit that the pope was their master: and when this lesson should have been fully inculcated, it was manifest that the papacy

must receive an immense accession of power over all persons, and in all causes, whatever. This system was steadily pursued by Nicholas I. and several of his successors.

No difficulty presented itself on the part of England, the only Christian state beyond the limits of the Frankish monarchy which was now of any importance. Here the ancient reverence for the Romish see had increased rather than diminished. In 847 king Ethelwolf had made tributary to St. Peter that part of the country which had hitherto been exempt from the payment of Peter's pence. In 854 the same king sent his son Alfred, with a large retinue of English nobles, to Rome, in order to receive the benefit of anointing at the hands of Leo IV. And that pontiff imparted to him the still further blessing of formally adopting him in the name of the Roman Church; thus securing to his own successors an increased power over the future king, against the exercise of which they needed not to fear any protest on his part.

The emperor, Louis II., was present at the consecration and coronation of Nicholas (A.D. 858). This is the first instance on record of the coronation of a pope; a new measure for placing him, as to outward pomp and circumstance, on a level with temporal princes, to whom he already believed himself superior as bishop.

At the very commencement of his pontificate, Nicholas found a favourable opportunity for interference in the affairs of sovereigns. Lothaire, king of Lorraine, was at this time seeking a divorce from his queen Theutberga, in order that he might marry Waldrada. The bishops had already pronounced Theut-

berga innocent of the crime which the king had laid to her charge in order to procure the divorce ; but the queen was subject to a course of ill treatment by Lothaire, which even threatened to endanger her life. Her friends now appealed to Nicholas, in 859, seeking the protection of his authority. It was nothing new or unusual for the bishop of Rome to interfere in matrimonial affairs and divorces, even among sovereigns ; and it was natural also, in the present instance, that he should desire to employ effectual efforts for the protection of oppressed and injured innocence. But the manner of his proceeding, his novel mode of interpretation, and the caution with which he worked in this matter, make it evident that these were not the only motives by which he was actuated, but that he cherished a still further design.

The history of the whole transaction is as follows. Lothaire, desirous of procuring a divorce, charged his queen Theutberga with the commission of gross crimes before marriage ; who, when brought to trial before a court of nobles, firmly denied the charge. In the mean time, the king secured to his interests Gunther, archbishop of Cologne, who induced the archbishop of Treves and other bishops to espouse the same cause. These bishops instituted a new examination of the case : as a result of which the queen was ordered to undergo the ordeal of water. This was one of the solemn trials of innocence common in those days, under the name of the judgments of God, in doubtful cases. The ordeal by water was as follows : —the accused stood in a church porch, and, after having been sprinkled with holy water, having joined in certain prayers, and received an address from the priest, took a stone or a ring out of a vessel of boiling

water with the bare hand ; this hand was then sealed up with consecrated wax, and if, after a certain time, it was found to be uninjured, the party was pronounced innocent,—if otherwise, declared guilty. The clergy and persons of rank had the privilege of enduring this process either in their own person or by proxy. The queen, on this occasion, appointed one of her attendants to act as her proxy ; and the result was in her favour. But Lothaire was now more embittered against her than ever. Boldly enough for the age in which he lived, he called in question the sufficiency of the ordeal, and brought forward his accusation afresh ; whereupon the queen, after a threatening address from the bishops at a council at Aix la Chapelle in 860, confessed to the archbishop of Cologne the crimes laid to her charge, and entreated permission to retire to a convent. At another council, held at the same place shortly afterwards, she threw herself at the feet of the king, and delivered to him a written confession of her crimes. Judgment was then pronounced, to the effect that, by way of penance, she should be confined in a convent for life,—the two uncles of the king, Louis and Charles, kings of the East and West Franks, consenting to the measure. A third council at Aix la Chapelle, in 862, pronounced sentence of divorce, with permission to the king to marry again ; the bishops who attended this council affirming, among other things, that by tears, penance, and alms, the king had expiated the sin which he had committed by having held intercourse with a concubine ; and made a collection of passages from Scripture, councils, and the Fathers, to prove that it was lawful for a man to marry again, during the lifetime of a divorced wife.

Theutberga made her escape from the convent before she was finally made a nun, and fled to Charles the Bald, king of the West Franks, who promised her protection. The affair had thus become involved, and began to assume a serious aspect. Confiding in the support of Charles, and probably at his suggestion, the queen laid before the pope a complaint of the ill treatment she had endured. Many of the Frankish bishops had disapproved of the proceedings against her; and some of them, in conjunction with certain temporal lords, addressed to Hinemar, archbishop of Rheims, twenty-three questions, and seven more afterwards, concerning this disputed matter.\* In 863 Hinemar answered these queries in a treatise (*De Divortio Lotharii Regis et Tetbergæ Reg.*), in which, without manifesting much judgment or discrimination, he declared against the sentence that had been passed upon the queen, and maintained the sufficiency of the foregoing ordeal. In answer to the question whether there were witches who excite implacable hatred between married persons, occasion an extraordinary degree of love, or interfere with the discharge of conjugal duties, he maintained the affirmative, and derived their power from the devil. It was to the credit of Hinemar that he boldly took up the cause of the injured queen; while at the same time, at the very beginning of his treatise, he professed himself a zealous supporter of the Roman Church, which, said he, all the western Churches ought to follow in controverted matters of faith, because (according to his incorrect assumption) nearly all had been founded by Rome.

Ado, who had lately been made archbishop of

\* Nicol. I. Ep. 22, ad Episcopos Gallie et Germanie (Labbe).



Vienne, applied directly to the pope concerning this business. Nicholas in reply\* denied that there existed any lawful opportunity for the king's second marriage, and objected even to the grounds of divorce as insufficient; at the same time refusing to give his approbation to the proceedings of the council at Aix. He convened a council at Metz, in Lothaire's dominions, at which, under the presidency of his legates, the matter should be examined anew; and he requested the queen's uncles to send each two bishops out of his dominions, to assist in the deliberation.† When, however, he heard that Lothaire, without waiting for this decision, had married Waldrada, he was greatly indignant at this proceeding, and commanded the bishops of both the Frankish kingdoms‡ to assemble at Metz, under his legates, and to summon Lothaire before them, in order to deal with him according to the ecclesiastical laws, declaring him excommunicated in case of refusal to obey the summons. In a separate epistle he charged the bishops to examine the matter thoroughly,§ and to send him a report of all their proceedings and decrees, in order that he might approve or rectify their sentence. In his instructions to the council, he enjoined the bishops to examine the plea of Lothaire that he had been already married by his father to Waldrada, and to investigate the charges against Theutberga; and, if both pleas should turn out to be groundless, to command the king to take back his divorced queen.

The pope's injunctions were, however, disobeyed.

\* Nicol. I. Ep. 59, ad Adon.

† Ibid. Ep. 18, ad Carol. Calvum Regem.

‡ Ibid. Ep. 22, ad Episcopos Gallie et Germanie.

§ Ibid. Ep. 23, ad Episcopos in Concil. Mat. residentes.

His legates came to Charles ; but they suppressed the epistles addressed to him and to the bishops, and suffered themselves, it is said, to be corrupted by Lothaire. Hence, when the council was held at Metz, in 863, none but the bishops of Lothaire were present, and from them he easily obtained the ratification of the decrees of Aix. Two archbishops, Gunther of Cologne, and Theutgaud of Treves, who had especially laboured in the interests of the king, went to Rome in order to obtain the pope's assent to this new decision. But they were ill received. Nicholas convened a council at Rome, in which the decrees of Metz were declared null and void ; he deposed the two archbishops, and promised pardon to the other bishops who had taken part in favour of Lothaire only on condition of their humble submission.

This measure of the pope, in deposing two of the principal archbishops of the Frankish empire, without the consent or knowledge of their sovereign,—without the co-operation of the other bishops of their provinces,—without any regard to the rights of metropolitans, or a national council,—and this too by the agency of a council hastily convened at Rome, consisting of such bishops as were there present, or in the immediate neighbourhood,—was not only a gross violation of the ecclesiastical constitution and laws, but was also one of the first examples of the use made of the forged Decretals. Nothing but the excessive claims supposed to be established by those Decretals could have emboldened the pope thus to transgress the bounds of justice and equity. The two archbishops, however, did not submit to his sentence. Hastening to Louis II., Lothaire's brother, emperor, and king of Italy, who was then at Benevento, they represented to him the fact

that they had been most uncanonically deposed,—that it was an unheard-of thing that a metropolitan, without the consent of his sovereign, and without the concurrence of other bishops of the same rank, should suffer such a sentence,—and that such a proceeding was an insult to the emperor himself, and to the whole Church. Louis took up the cause as his own, and in 864 he marched to Rome with an army, taking with him the two archbishops, in order to compel the pope to reverse his sentence. Hearing of this, Nicholas appointed a solemn fast and public supplication, in order that God (by the intercession of the Apostles) might inspire the emperor with good will, with reverence for sacred ordinances and worship, and with respect for the apostolic see. The emperor with his troops took his stand near St. Peter's church: the clergy and people, in solemn procession, chanting, and carrying crosses, advanced towards him, to supplicate his favour; but the troops attacked and dispersed them. It is reported that, on this occasion, the magnificent cross, said to have been inlaid with pieces of the true cross, which had been sent to Rome as a present by Helena, was broken; but that it was afterwards repaired by some Englishmen. The pope, fearing lest he should be made prisoner, withdrew from the Lateran palace, and went on board a vessel, in which he was conveyed, by the Tiber, to St. Peter's, where he remained two days and two nights without food. In the mean time the soldier who had taken the precious cross died, and the emperor was attacked with fever. The emperor regarded these things as a divine admonition not to persevere in the work of hostility and destruction; he sent his queen to the pope, who came to him, and returned to the Lateran

palace ; and then the emperor, with all his army, retired from Rome, and sent back the archbishops to France.

Gunther afterwards drew up a written complaint, which he sent to the pope, with instructions to his brother that, if the pope would not receive it, he should lay it on the tomb of St. Peter. This accordingly took place, his brother having forced an entrance into St. Peter's church for the purpose. His cause was not the best ; but we see, from his course of proceeding, that he had not imbibed the high idea of papal authority which prevailed in after times.

The other bishops, however, tamely submitted to the will of the pontiff. A most servile and flattering epistle to this effect from Adventius, bishop of Metz, is extant,\* in which he goes so far as to promise obedience to the commands of the pope, as of God. In reply to this adulation, Nicholas did more than send a mere pardon. He wrote † to the almost dying bishop, comparing him to the penitent thief on the cross ; and told him that it was right, indeed, for him, according to the command of the apostle, to be subject to his prince, but that he ought to consider whether or not he was rightfully his prince ; for, if princes did not govern themselves and their subjects properly, if they were not legitimate princes, they ought to be resisted as tyrants, and indulgence ought not to be shown to their vices. It is evident that this principle, which leaves it to the pope and to the bishop to decide whether or not a prince reigns lawfully and governs well, could be employed to justify them at any time in refusing subjection to a sovereign, and throwing his kingdom into disorder, whenever he might happen to displease them, or whenever they might have any doubt of his legitimacy.

\* Baron, ad an. 863, n. 51, &c.      † See Nicol. Epist. ad Advent.

Lothaire now yielded to the pope in terms of the most abject submission.\* Nicholas accordingly followed up his victory, and wrote to the king, haughtily commanding him to put away Waldrada, and to receive again Theutberga as his queen, who was delivered to him at Attigny in 865, by Arsenius, a bishop and papal legate, who travelled from one court to another with the pope's epistle especially enjoining Charles of France and Louis of Germany not to interfere in the matter of Theutberga, which was now entirely in the hands of the pope. Lothaire, terrified by threats of excommunication and eternal destruction, received his queen, making promise of good behaviour to her on oath; and at the same time commanded Waldrada to repair to Rome, and there to answer for herself. Waldrada set out with Arsenius for Italy; but having returned, or (as some say) having been withdrawn, she was hereupon excommunicated by the pope.

Theutberga now found herself harshly treated; materials of a fresh accusation were in the course of preparation, and her life appeared to be in danger. She therefore fled to her uncle, Charles the Bald; and addressed a letter to the pope, declaring that her marriage with Lothaire did not seem to have the blessing of heaven, and that she hereby desired a separation, and sought permission to come to Rome and disclose to the pope her most secret wishes and desires. She affirmed also, that, to her apprehension, Waldrada was Lothaire's lawful wife. Nicholas regarded all these expressions as extorted from the queen by force and threats; or, at least, as merely the effects of her desire to have an end put to her

\* Baron. ad an. 864, n. 24.

misery.\* He therefore rejected her application,—gave her to understand that he was aware of the motives by which she was actuated,—and exhorted her to endure suffering rather than to sacrifice her honour ; adding that, even in case of her divorce or death, he would never permit the adulterous Waldrada to be the queen of Lothaire, nor would suffer Lothaire to come to Rome until he had sent Waldrada thither to receive judgment. The bishops of Lorraine, probably out of fear of Lothaire, having delayed to publish the excommunication of Waldrada, which had been sent to them, were threatened with the same punishment themselves if they refused any longer to comply with the requisition.

Having heard that Lothaire was about to institute an ordeal by combat respecting the affairs of the queen (so that, if her champion were vanquished, she should be adjudged guilty), Nicholas wrote to Charles the Bald,† giving him information of this report, and saying that, after the papal decision in this matter, no temporal court whatever could sit in judgment upon it, especially as both parties had appealed to him ; and he commended Thentberga to his protection. He wrote‡ again to Lothaire also, threatening that, in case of disobedience to the papal authority, he should be treated as a heathen and a publican. Lothaire again feigned submission. He caused the bishop of Metz to write to the pope § (*sanctissimo et perbeatissimo atque angelico domino Nicolao*) assuring him that his sovereign had no connection with Waldrada, and that he treated Thentberga in all respects as his queen. Lothaire himself also wrote ||

\* Nicol. l. Ep. 48.      † Ibid. Ep. 50.      ‡ Ibid. Ep. 51.

§ Baron. ad an. 866, n. 29.

|| Ibid. l. c. n. 37.

a most humble and submissive letter, promising entire obedience, and desiring an interview. But Nicholas was not satisfied with this; he complained that Lothaire had not complied with his requisitions; especially, that he had not caused the two vacant archbishoprics of Treves and Cologne to be filled up by a lawful election; and he declared that he would not suffer him to come to Rome until he had obeyed his commands, and had sent Waldrada thither to take her trial. The German king (Louis) had interceded with the pope for the restoration of the two archbishops. Doubtless he would have done better, and perhaps with better effect, if himself, his brother Charles, and his nephew Lothaire, the sovereign of those bishops, had united in affirming that no bishop or archbishop of their dominions should be deposed without consent of the sovereign, and sentence of a provincial synod. That would not have been to prefer a request or petition, but to make a demand founded upon unquestionable right. These princes, however, were evidently too little acquainted with their ecclesiastical rights; they did not even properly maintain those rights of which they were conscious; and they became more and more afraid of a breach with the pope, in proportion as they more frequently required his aid in the course of their mutual jealousies and quarrels. Nicholas expressed to Lothaire\* and to the German bishops his astonishment at their taking part with the deposed bishops; and called upon them to assist him in healing the wounds which they had inflicted on the Church. Fresh misunderstandings soon arose between the Frankish kings; and Charles devastated a part of Lothaire's territory in 866, while Lothaire was con-

\* Nicol. I. Ep. 56, 58.

sulting with his bishops at Treves how he might get Theutberga shut up in a convent. Nicholas died  
A. D. 867. before this affair was ended.

With this transaction began a new epoch in the papacy. A precedent was hereby established, by which it could be made to appear that even kings were subject to the jurisdiction of the pope, and were bound to submit to his authority and power, at least in matters of which the Church claimed cognisance. It was also established as a maxim that all bishops without exception were subject to the pope as their sovereign lord and judge, who, with regard to them, was absolute, and not bound by any forms. Against the former assumption no protest whatever was made on behalf of regal independence; against the latter, on behalf of the bishops, there came a protest only from the party aggrieved. And this was a new thing in the history of the Church; for, although cases had occurred in which the bishops of Rome had claimed right to exercise judicial authority over princes, still this had never been carried into effect except under a strong protest: and, although they had claimed authority over all bishops, still they had themselves hitherto admitted that the obedience due to them was strictly canonical, so that their power was limited by the laws of the Church, and by the relations and usages of the hierarchical constitution. In the present instance, however, not only was a new claim set up, but the claim was conceded by those whose liberties were invaded. By the princes whom Nicholas summoned before his tribunal the competence of that tribunal was repeatedly acknowledged. Of the two archbishops, who really stood in no ecclesiastical relation to the bishop of Rome, and who were deposed



by his arbitrary sentence, one at least submitted to the sentence, while all their fellow-bishops were either silent, or interceded on their behalf in terms which implied the sufficiency of that assumed authority by which the sentence of deposition had been passed. The royal relatives of Lothaire did not intercede for him; but, to a certain extent, they even encouraged Nicholas in his proceedings against him.

It is obvious that the pretensions of Nicholas on this occasion were greatly assisted by the apparent justice of the cause in which he was engaged. And his contemporaries were disposed to concede to him the exercise of the high powers that he claimed, under a sense of the benefits which, for the moment, these powers were employed in conferring. They suffered him to exercise an authority which hitherto no pope had claimed, because he was exercising it in a righteous cause, for the protection of defenceless innocence against a proud oppressor, and for the maintenance of right in opposition to arbitrary power. They took no offence at the unusual nature of his proceedings, under the profound impression of the high principles which those proceedings upheld; and, whilst the public indignation was directed against Lothaire and his mercenary supporters, an opinion widely prevailed that it was for the best interests of humanity that there should exist somewhere in the world a power which even kings should be obliged to respect. It is more than possible that Nicholas may himself have been partly sustained in these proceedings by some such considerations: while, however, it is manifest that these were not the only motives by which he was impelled, because he did more than enough to satisfy them; for he did not stop at the

vindication of right and justice, but proceeded further in the direction of establishing his own unfounded claims. His conduct in this affair was quite of a piece with that which on other occasions exhibit him as the ambitious pontiff, systematically aiming at the extension of papal authority and power.

In this light he appears especially in a contest which he was waging, at the same period, with the French bishops, especially with Hinemar, archbishop of Rheims,—one of the most learned and polished prelates of his age, but also one of the most restless and ambitious, who had indulged in hasty, and perhaps unjust and tyrannical, proceedings against one of his diocesan bishops, Rothad of Soissons. For some reason not now exactly known, but probably for some breach of the ecclesiastical laws, Hinemar caused this bishop to be suspended by a council at Soissons, in 861, and intimated that in the following year he should be entirely deprived of his office by a still larger assembly to be held in presence of the king. Rothad appealed to the pope. The council deemed itself bound to respect this appeal; and the king gave permission to Rothad to repair to Rome and lay his cause before Nicholas. Hinemar was obliged to give his consent to these proceedings; but he at the same time endeavoured to give another turn to the affair. Pretending that Rothad had withdrawn his appeal to the pope, and had referred his cause to the judgment of certain of his brother bishops, he caused the king to prohibit his journey to Rome,—summoned him (in 863) before a new council at Soissons,—and caused him to be deposed in presence of the king, although he persisted in his appeal to Rome, and in his consequent refusal to submit to the decision of the council. The sentence

of deposition was confirmed by a synod at Senlis in the same year, and Rothad was shut up as a prisoner in a monastery. These proceedings of Hincmar were so passionate that we may well be disposed to doubt their justice: and our suspicions may receive strength from the vague and indefinite nature of the charge against Rothad, as it is stated in Hincmar's writings; from which it would appear, not indeed that Rothad was all that a bishop ought to be, but that he was no worse than a large proportion of his contemporaries. And the neighbouring bishops of Lorraine were so struck by the irregular proceeding against him, that they addressed a remonstrance to their brethren of France who had pronounced the decision at Senlis. Under these circumstances, Nicholas found his opportunity of interfering, as on behalf of the oppressed; and, from the anxiety which was manifested by Hincmar to prevent his interference, he concluded how much that interference was dreaded, and how formidable was his power. We might have supposed him to have been actuated in this matter simply by a sense of right and duty, if he had not overacted his part by doing more than a sense of right and duty could require. The French bishops transmitted to Nicholas an account of their proceedings against Rothad at the synod at Senlis, which they entreated him to confirm; hoping, perhaps, by this means to allay any indignation which he might have felt by their rejection of Rothad's appeal. But the pope soon convinced them that, if they had entertained any such hope, they had altogether mistaken his character. He told the French bishops that they had done well in bringing the matter before him, but he could not understand how they could expect him to decide merely in accordance with

their wishes. He informed them also that their sentence against Rothad was entirely invalid, since it had been passed after the accused had appealed to the holy see. Nor could he undertake to confirm a sentence of condemnation without giving a hearing to the accused; especially in such a case as the present, in which it appeared highly probable that an error had been committed. He therefore insisted that Rothad should be set at liberty, in order that he might conduct his own cause at Rome, whither they were also invited to send deputies; otherwise, he demanded that Rothad should not only be released from confinement but also restored to his office. He wrote to the king, Charles the Bald, to the same effect, and still more strongly to the archbishop of Rheims; and, not receiving a reply as soon as he expected, he sent notice that he would pronounce a decree of suspension against Hincmar and all his provincial bishops, if appearance were not duly made within thirty days. These proceedings of Nicholas were justifiable on the ground of the ecclesiastical laws already recognised in France. Hincmar himself, in his reply to Nicholas, admitted that the Council of Sardica had given to every bishop a right of appeal from his metropolitan, or from a provincial council, to the see of Rome. But he maintained that the proceedings of the last Council of Soissons against Rothad were perfectly regular, inasmuch as no appeal lay from the sentence of a self-chosen tribunal, *i. e.*, a tribunal to which the accused himself voluntarily referred, according to the express provision of an African canon which was universally received. Rothad, however, persisted in denying that he had withdrawn his appeal from Rome, and had thus constituted the bishops of Soissons his judges.

On the whole, Hincmar professed himself ready to abide by the decision of the pontiff; but he employed all his art to induce Nicholas to confirm the sentence of deposition, and to persuade him that such an issue to the affair would be most conducive to his own honour, to the cause of justice, and even to the interests of Rothad himself. Charles also wrote to the pope more than once, and employed the pen of his queen in the same cause, endeavouring to bring about the same result. At length, however, even the king so far yielded that, in 864, he sent Rothad to Rome; and thus acknowledged that he was unable to maintain the position which, in common with his bishops, he had taken against the pontiff. Without any further examination of the cause, Nicholas then restored Rothad to his office by a public decree. In this act of restoration, considered in itself, there was nothing informal or illegal, or contrary to established precedent. But there was something new and startling in the bearing which Nicholas assumed, and in certain principles which he enunciated on this occasion. These principles were not contained in the decree itself, but in an address with which the pontiff accompanied its publication; Nicholas herein declaring that the deposition of Rothad by the French bishops was illegal, because it was effected by a council which had been convened without the knowledge and sanction of the pope, and also because the deposition of a bishop belonged to those *causæ majores* which, by custom and law, were reserved for the decision of the Romish see. In the epistle\* with

\* Epist. ad universos Episcopos Gallie.—In his epistle, sent with the decree, to Charles the Bald, and to Hincmar, Nicholas confined himself to strictly legal grounds (Labbe).

which Nicholas transmitted the decree to the French bishops, the latter point was chiefly insisted upon as that which nullified their proceedings, Nicholas resting this assertion upon the Decretals. These principles were altogether new: for, although the popes had often suggested or originated the assembling of provincial councils, it had never been supposed that such permission was necessary in order to their meeting; and, as to the deposition of bishops, it had always been recognised as the right of metropolitans in such cases to be judges in the last instance. The reservation of such cases for the pope was a virtual dissolution of the metropolitan system; and the independence of national Churches was destroyed, if their bishops could not meet in council without permission from Rome. Nor could it be doubted that such was the design which Nicholas had in view while announcing these new principles. The French bishops declared that no such claim of reservation as that for which Nicholas contended existed in the Decretals which they possessed; the pope, however, affirmed that, if it could not be found in the Dionysian collection, still, as a papal Decretal, (*i. e.* one of the forged Decretals of the Pseudo-Isidore), it demanded obedience. It is possible that Nicholas was not aware of the spuriousness of these so-called Decretals; but, at all events, he was determined to put them into execution.

The king of France, the archbishop of Rheims, and the provincial bishops, suffered the papal decision in this case to take effect without further protestation; and the deposed Rothad was solemnly restored by a papal legate, sent to France for this purpose. They, probably, by no means designed to admit as valid and incontestable the principles on which Nicholas pro-

posed to proceed ; and, indeed, on a subsequent occasion, they formally objected to these principles : but, for the present, they were silent, because they did not wish to break with a pontiff who might in other respects be useful to them. It was a great point gained, not only to have had an opportunity of announcing these high papal principles, but to have been suffered to act upon them.

The same remark applies to the conduct of Nicholas with regard to John, archbishop of Ravenna. John, maintaining the independence of his see, refused to appear before a council at Rome, at which he had been required to answer a charge of unlawful proceedings in deposing certain bishops of his province ; and sentence of excommunication was passed against him, notwithstanding the interposition of the emperor Louis on his behalf. The archbishop was compelled to submit, and the see of Ravenna became thenceforward entirely dependent upon Rome.

Another step in the same direction was taken under the following circumstances. In 853, at a Council of Soissons, Hincmar had deprived of their office certain presbyters who had received ordination from Ebbo, archbishop of Rheims, after his deposition. The conduct of Hincmar in this matter was perfectly regular, and his act was confirmed by Benedict III., and by Nicholas himself in 863. Suddenly, however, in 866, Nicholas again agitated this matter, pretending to have heard that the accounts which Hincmar had transmitted to Rome were not strictly true, and demanding that Hincmar should restore the presbyters, or at least should examine the cases again in a larger synod. The French bishops, in great alarm, referred the whole matter to the pope's own decision ; and

promised to respect his decree restoring the presbyters to office.\* In a synodal epistle they also entreated Nicholas to take such measures, that for the future no archbishop or bishop should be deposed without the sanction of the pontiff.† While the bishops thus formally acknowledged the pope as their protector they virtually accepted him as their master; and thus Nicholas carried out one effectual and fundamental portion of his idea of the papacy, preparing the way for others, and constituting an epoch in the history of the Church; while it became evident that the complete development of papal power must take place sooner or later, according to more or less favourable circumstances of the times.

A. D. 867.  
Adrian II.

That a favourable conjunction of circumstances was indeed needful for the further development of the papacy became manifest under the administration of the successor of Nicholas, Adrian II., who lost nearly all the ground which had been gained by his predecessor, and that too in a conflict with the very same parties against whom Nicholas had been so successful. His fault was that he continued to speak and act in the same style as Nicholas, without attending to the fact that the circumstances in which he was placed were different. Happily for Adrian, however, he maintained the credit of the papal see with reference to the most important matter which had been transmitted to him by Nicholas,—the matrimonial cause of the king of Lorraine. Lothaire seems to have taken it for granted that the new pope would support him in his views, even so far as to sanction

\* Epist. Nicolai ad Herardum arch. Turonens. et ad Hinemarium (Labbe).

† Synod. Epist. totius Concil. Suessionensis. ad Papam (Labbe).



his marriage with Waldrada; but Adrian, while he consented to release Waldrada from the sentence of excommunication,\* declared himself firmly resolved not to consent to the divorce of Theutberga;† a decision, however, in which he would probably have found it difficult to persevere, had not the death of the king, which took place in 869, come to his rescue.

After the death of Lothaire, during the contest which ensued between Charles the Bald and his brother the emperor Louis, Adrian took a decided part in favour of the emperor. He wrote to the nobles of Lorraine, enjoining submission to the emperor as their lawful sovereign, and threatening with excommunication any parties who should presume to despise the monition of the holy see.‡ He wrote also to the nobles and bishops of France, enjoining them, especially Hincmar of Rheims, to withstand any attempt of Charles (their sovereign) upon Lorraine.§ But this interposition of the pope was too late; for, when his envoys arrived in France, Charles had already caused himself to be crowned king of Lorraine at Metz, and the papal injunctions were treated with indifference by all the parties to whom they had been addressed. Adrian ought now either to have put his threat into execution, or at least to have obtained some apparent satisfaction for the emperor; but, instead of this, he again addressed epistles to the king, and to the nobles and bishops of France and Lorraine, complaining bitterly of their contempt of his former communications, charging the king with his act of injustice, and

\* *Adriani II. Ep. ad Waldradam* (Labbe).

† *Ep. ad Lotharium* (Labbe).

‡ *Adrian. Ep. ad Proceres Regni Lotharii* (Labbe).

§ *Ib. Ep. ad Proceres Regni Caroli Calvi*;—*ad Episcopos in Regno Caroli*;—*ad Hincmarum* (Labbe).

threatening to come in person, in case of further obstinacy, in order to punish the offenders.\* He sent also to the court of Louis of Germany, not calling for immediate aid to the emperor, but simply threatening to come in person. This, however, was an empty threat, and was never intended as anything more; from which no result could follow but great disgrace upon non-fulfilment. And such was the fact; Charles divided Lorraine with his brother Louis of Germany, and set the emperor and the pope at defiance. To Adrian's second epistle he gave no reply; and Hincmar sent one in which, under colour of representing the sentiments of the nobles, he read the pope a severe lecture on the temerity and bad policy of his interference with regard to the succession of princes.

Most weakly and unwisely, as well as without warrant, Adrian espoused the cause of the rebellious and worthless Carloman against his father Charles the Bald; but neither the king, the nobles, nor the bishops took any notice of his peremptory and unjust injunctions in this matter. Carloman was punished with the loss of his eyes, and imprisoned for life; and the interference of Adrian resulted only in merited disgrace, with loss of influence. Adrian thus did much towards impairing that authority over sovereigns which Nicholas had usurped.

By another transaction he weakened also that ecclesiastical authority which had been, for the first time, conceded to his predecessor.

Hincmar the Younger, bishop of Laon, after having been engaged in a long dispute† with his sovereign,

\* *Ad Episcopos Germaniæ* (Labbe).

† *Hincm. Rhem. Epist. ad Hincm. Laud.* (Labbe).

Charles the Bald, respecting some exercise of his episcopal authority, and also in a dispute with his uncle and metropolitan, the archbishop of Rheims, respecting the canonical obedience due to him, was at length deprived of his bishopric by the Council of Douzi. Concil.  
Duziacense,  
A. D. 871. Hinemar the Younger had, however, in the mean time, appealed directly to the pope; and when Adrian received the decrees of the council, together with an epistle requesting that, if he did not coincide with their judgment, he would proceed regularly according to the canons of Sardica, he expressed his displeasure at their having presumed to depose a bishop who had appealed to the apostolic see, and desired them immediately to send his accusers to Rome, where his cause should be heard. In reply to the application of the council for the papal approbation of the translation of one of their bishops to an archbishopric, the pope gave his consent,\* but referred also to one of the forged Decretals, said to be of the bishop Anteros, in which it was expressly affirmed that such translations, for urgent reasons, were permissible. To the communication made by the pope respecting Hinemar, the council returned a proper reply, in which they expressed their astonishment at his remarks, and justified their own proceedings.† Adrian having also addressed to Charles the Bald a demand that the younger Hinemar should be sent to Rome to take his trial, Charles sent back a very spirited reply, asserting the rights of princes against usurping papal pretensions. Adrian now saw that it was time to yield, and wrote a very conciliatory and flattering epistle to Charles, although still requiring that Hinemar should take his

\* Adrian II. Epist. 28, ad Episcopos. Synod. Duziacens. (Labbe).

† Rescriptum Ep. Synod. Duziac. ad Epist. Adr. (Labbe).

A. D. 872.  
John VIII.

trial at Rome.\* In the same year (A.D. 872) Adrian died. The deposition of Hincmar of Laon was therefore now uncontested, but his successor was not appointed until that deposition was confirmed by John VIII. in 876.† Hincmar of Laon was banished from his province, and was afterwards punished with the loss of his eyes, by Charles the Bald, probably on account of having taken part in an insurrection occasioned by the invasion of the West Frankish dominions by Louis the German. He was subsequently set at liberty; and, in 878, when John VIII. visited France, after the death of Charles the Bald, he presented to the pontiff a petition against his uncle, praying for a more equitable sentence. The pope granted him permission to celebrate mass, and assigned to him a portion of the revenues of the bishopric of Laon.

The bishop of Laon, in his controversy with the archbishop of Rheims, had referred to one of the forged Decretals in the collection of the Pseudo-Isidore. In reply, Hincmar of Rheims wrote against these Decretals, not indeed raising any suspicions as to their genuineness, but contending that they were of authority only so far as they were in conformity with the canons and decrees of more ancient councils. No notice was taken of this at Rome. The vital point, the supposed genuineness of the Decretals, was not assailed. Indeed, the losses under Adrian were all superficial, and capable of being remedied by an able and politic successor. When the French bishops referred to Adrian's threat of excommunicating Charles the Bald for seizing Thuringia, they only expressed

\* Adrian. II. Ep. 30.

† Johan. VIII. Epist. 314, ad Hincmar. Rhem. (Labbe).

their astonishment that the pontiff adopted this course without proof of any adequate crime, but not that he should, under any circumstances, assume such power over sovereign princes. And while Hinemar of Rheims maintained his metropolitan rights in the matter of Hinemar of Laon, he carefully acknowledged the recognised supremacy of Rome; and from the whole tenor of the correspondence it appeared that the will of the pontiff to the prejudice of metropolitan authority would meet with but feeble and ineffectual resistance in France.

The pontificate of John VIII., the successor of Adrian, was distinguished by an event of considerable importance to the interests of the papacy, which was no less than an opportunity of disposing of the imperial crown,—an opportunity often afterwards repeated, when aspirants to the crown thought that they could turn the services of the pontiff to good account.

Louis II., the emperor, and king of Italy, having died in 875, without an heir, each of his two uncles, Louis the German and Charles the Bald, took measures to secure the succession to himself. This belonged properly to the German king, as the elder brother; but Charles was beforehand with him. He marched quickly into Italy, and at Pavia took possession of the Italian dominions. Invited by the pope, he immediately proceeded to Rome, where he was crowned emperor, a favour which he owed to the rich presents he had made to the pope, the Romans, and St. Peter's church. Some writers say that Charles, on this occasion, ceded to the pope the absolute and independent government of Rome; but it is plain, from the subsequent epistles of John himself,\* that

\* Johan. VIII. Epp. 45, 23, 277, 293 (Labbe).

Rome and its territory were still subject to the emperor. A donation of Samnium, Calabria, and Benevento, said to have been made by this emperor to the pope, can also be proved to be fictitious. Still, the manner in which Charles the Bald had become possessed of the empire and of Italy tended very materially to increase the power of the pope. Aware of his bad title to the empire, and mistrustful lest his presents should be denounced as acts of bribery, Charles suffered the pope to declare that the imperial crown was properly at the disposal of the Roman see, without protesting against this assumption. The continual quarrels of the Carlovingian princes among themselves, their distance from Italy, and their weakness, furnished the pope with means of giving this claim the appearance of a right; and after the fall of the Carlovingian house, when the native princes of Italy and neighbouring sovereigns were contending for the empire, it became still more easy for the popes to decide the election. Already the question with the pope was, not who had the greatest right to the empire, but which of the candidates was most devoted to the Roman see, and appeared most likely to advance its interests. Louis the German sent his two sons with an army into Italy; but they were not able to dispossess their uncle: and Charles made an invasion (but ineffectual) into the dominions of his brother. The pope then wrote to the bishops belonging to the dominions of Louis,\* sending them a reprimand for not having kept back their sovereign from his attack upon the country of the West Franks. He told them that it was the devil who had sown discord between the two brothers;—that the devil had been jealous of

\* Johan, VIII. Ep. 315 (Labbe).

the virtues of Charles, had harassed him with disturbances and evil accidents from his youth, and had employed all his craft in order to hinder his obtaining the empire;—but that Charles had at length obtained the imperial crown by the favour of God, and through the ministry of the pope. This is the prince, said he, by whose means God will alleviate the troubles of his Church; this is he for whom my predecessors have often sighed; who was reserved for these dangerous times for the deliverance of Italy, into which he came in a wonderful manner, and was there elevated to the imperial dignity by God, through a privilege belonging to the apostolic see.\* To the nobles of the dominions of Louis, the pope declared that they had deserved excommunication in consequence of their inroad upon the territories of the West Franks, but that he had compassion upon them, and contented himself with warning them to beware of the delusions of Satan in future, and not to contend against the Church and the ordinance of God.† He threatened to excommunicate those bishops of the West Franks who had taken part with Louis, if they did not abandon his cause. The terms of the document by which an assembly of the states spiritual and temporal, at Pavia, in 876, recognised Charles as king, are remarkable for their spirit of submission and devotion to the Romish see.

In 877, Charles entered Italy with an army, at the earnest entreaty of the pope, in order to assist him against the Saracens, who had penetrated close to Rome, and had been bought off from the capital by a sum of money; while they were strengthened by a treaty with Naples, Salerno, Gaeto, and Amalfi.

\* Johan. VIII. Ep. 316 (Labbe).

† Ibid. Ep. 318 (Labbe).

On this occasion, Sergius, duke of Naples, was made prisoner, deprived of his eyes, and sent to Rome by his brother Athanasius, bishop of Naples, for which the bishop received the hearty thanks of the pope. No sooner had Charles entered Italy, than he was obliged to retire, by the intelligence that Carloman, king of Bavaria, eldest son of Louis the German, was marching against him, in order to assert his right to the dominion of Italy. On his return to France, Charles died, A. D. 877.

By the death of Charles, the situation and prospects of the papacy were by no means improved. Louis the Stammerer, his son and successor in his West Frank dominions, finding his kingdom shaken by the Normans, and having little power over his own nobles, was not able to help the pope, nor was in a condition to aspire to the empire. The sons of Louis the German were not well inclined to the Roman see. Carloman, one of them, however, with his army, was in Upper Italy, and was recognised as king at Pavia. He promised his support to the pope, who, in return, gave a courteous reply, but insisted on certain demands and securities. In the same year, 877, Carloman returned to Germany; and this opportunity was seized by Lambert, duke of Spoleto, and Adelbert, count of Tuseany, to march to Rome, of which place they made themselves masters, taking the pope prisoner, and compelling the nobles to swear allegiance to Carloman. John VIII. makes bitter complaints of their acts of violence,\* and especially laments that nothing was left of "the power which pious emperors had given to the apostle Peter and his vicar over Rome."†

\* Johan. VIII. Epp. 84—89 (Labbe).

† Ep. 85.



The pope now sailed to France, and here made an alliance with Boso, then governor of Provence, which led to important results. Boso was connected with the imperial family by marriage: he was now possessed of great wealth and influence; and it was the design of the pope to secure his assistance by exalting him to the throne of Italy and the empire. In short, he was determined to make an emperor whom all the world should recognise as absolutely indebted for the crown to himself alone. In this design, indeed, he did not succeed; but he was able to exert his influence in favour of Boso so far as to cause him to be made king of Burgundy; while, at the same time, he contrived to avoid the appearance of constraint in placing the crown upon the head of Charles the Fat.

John affected, or sincerely manifested, as great a zeal for the honour of the episcopate in general as for the pontificate itself. While he endeavoured to exalt the pope above the emperor, he also declared his intention of making all bishops independent of the temporal power. At the Council of Ravenna, in 877, and again at another at Troyes which he convened in the following year, during his stay in France, he propounded several decrees, to the astonishment of the bishops themselves, claiming for them various rights and privileges which they had not themselves hitherto ventured to demand.\*

This proceeding produced upon their minds the greater impression, inasmuch as they had long been desirous of advancing their social position. Never, until now, had they been made aware of the points at which they ought to aim, in order to secure for themselves the highest rank and influence in the

See John's Epistle to the German bishops, A. D. 876 (Labbe).

state; and the pontiff who gave them powerful assistance in this weighty affair could not but be highly popular among them. It was, perhaps, by this measure that John principally contributed to the strengthening of the papacy, to such an extent that it remained without any considerable loss during a long succession of unworthy, or impotent and inactive, popes, who occupied and disgraced the see during the troubles which shook Italy for more than half a century.

It is probable that even before the death of John, a powerful party had already been formed in Italy, with the design of putting an end to the Franco-German dominion in that country, and of placing the crown of Italy and of the empire upon one of the native nobles of the land. Such a design may have been easily suggested under the weak government of Charles the Fat. This party had so much influence in the election of Martin II., and of his successor, Adrian III., as to render it not improbable that both these pontiffs were selected with a view to the promotion of their designs. But it was not until the deposition of Charles the Fat by the estates of Germany, followed by his death in 888, that an attempt was made to carry these designs into execution.

A. D. 882.  
Martin II.  
A. D. 884.  
Adrian III.

The party which meditated this deliverance of Italy from the yoke of a foreign dominion had already fixed their regards upon one who should be the future ruler of the country. This was Wido, Guido, or Guy, duke of Spoleto. No sooner, however, were measures taken for securing to him the vacant throne of Italy, than a rival appeared in the person of the powerful Berengar, duke of Friuli, who urged equal claims, and appeared to be sup-

ported by a party not inferior in power. Hence arose a civil war in Italy, which was long protracted by the fluctuating success of the contending parties.

At the commencement of the struggle, the adherence of the pope to the party of the duke of Spoleto appeared to give the preponderance in its favour. The influence of the new pope, Stephen V., who succeeded Adrian III. in 885, was chiefly instrumental in procuring the acknowledgment of Guido as king of Italy, in 890. In the following year, 891, the pope placed on his head the imperial crown, and by this means so strengthened his authority and power that, in 894, he was enabled to compel Formosus, the successor of Stephen, to secure to his son Lambert the succession to the empire. This, however, turned out to his own disadvantage; for Formosus, whom the new emperor had made too sensible of his power, had already instigated Arnulf, king of Germany, to enter Italy, and take possession of the kingdom which belonged to him. Arnulf, whom Berengar, in his jealousy of Guido, had already supported with all his power, succeeded in defeating Lambert in 895, and, in the same year, received the imperial crown at the hands of the pope, with full consent of the Romans.

Formosus died in 896. His successor, Boniface VI., survived his elevation only fifteen days. Next came Stephen VI. (or VII.), who belonged to the party opposed to that of Formosus. He is said to have caused the remains of that pontiff to be disinterred, to be clothed with episcopal vestments, and placed upon the papal chair. He then held a kind of council over him, and addressed him with these words: "Since thou wast bishop of Porto, why

A. D. 885.  
Stephen V.

A. D. 891.  
Formosus.

A. D. 896.  
Boniface VI.  
Stephen  
VI. or VII.

didst thou so yield to thy ambition, as to grasp at the episcopal chair of the see of Rome?" A deacon was suffered to act as his advocate, but, of course, he lost his cause. Stephen then caused the corpse to be stripped; when the three fingers, with which the papal benediction had been given, were cut off, and the body thrown into the Tiber. At the same time, also, the ordinations of Formosus were declared invalid, and the parties who had received them were reordained by Stephen.\*

In 897, probably by the prevalence of the opposite party, Stephen was thrown into prison, and strangled.

A. D. 897.  
Romanus,

Romanus succeeded in the same year, and held the see nearly four months. Platina says that he reversed the decrees of his predecessor; but Flodoard is silent on this point, and little dependence can be placed upon the statement.

A. D. 898.  
Theodore II.  
John IX.

The next pope Theodore II. reigned twenty days. The bishops and priests ordained by Formosus, whom Stephen refused to acknowledge, he restored to their offices; and he gave an honourable burial to the corpse of Formosus. Tradition says that the Tiber repeatedly threw up the corpse, and that, when it was brought into St. Peter's church, several images of saints saluted it; a story which has been adduced by Luitprand in proof of the sanctity of Formosus. But the more solemn vindication of the memory of Formosus was undertaken by John IX., who became pope (after Theodore) in 898, having gained the upper hand of his rival, Sergius, who had been elected by the influence of the Tuscan party. He immediately held a council at Rome, in favour of Formosus, and against Sergius; here the above-mentioned decree

\* Baron. ad an. 897, n. 3.

concerning the right of the emperor at the consecration of a pope was confirmed, and excommunication pronounced against those who threw the corpse of the pope into the Tiber, unless they should repent.

The restored German dominion lasted only until the return of Arnulf to Germany. In 897 Lambert was again emperor, and was recognised as such by the new pope, Stephen VII., and by the Romans. His death, which took place in 898, led to a new change. Berengar now again put forward his claims; but his enemies called in Louis, king of Burgundy, by whom he was defeated, and compelled to flee to Germany. The imperial crown now fell to Louis, who was crowned by the new pope, Benedict IV., in 903. In 905, however, Berengar came with a strong force from Germany, and compelled Louis to retire into Ravenna; while himself not only remained in possession of the kingdom of Italy, but also received the imperial crown at the hands of the pope, John X. in 916.

A. D. 900.  
Benedict  
IV.

This last turn of affairs was introduced by a series of disorders which had already taken place in Rome, and was destined to lead to still further changes, threatening even the overthrow and destruction of the papacy itself.

In the last years of the emperor Lambert, a coalition had been formed among the Roman nobles, on the principle of being content with the sovereignty of their own city. At the head of the new faction stood Adelbert, count of Tuscany, supported by the influence and intrigues of a notorious Roman lady, named Theodora, who was connected with some of the first and most powerful families of the city, and who, by

means of her infamous daughters, Theodora the younger and Marozia, drew a still larger number over to this party. In the first instance they gained a certain Sergius, a Roman of high family, and belonging to the clergy; it being part of their plan to create a pope whom they could employ in the execution of their designs, — a service to which they destined Sergius, or one which he himself volunteered to discharge. As early as 898 an attempt was made to secure his election; but the party had not yet obtained sufficient influence to command success, and Sergius was compelled to leave the city. At length, however, his adherents were strong enough to bring him back in triumph, and not only to place him on the papal throne, but to maintain him there. After the death of Benedict IV., in 903, Leo V. was elected. At the end of two months a presbyter, named Christopher, took him prisoner, and possessed himself of the papal chair; from which he was expelled in the following year by Sergius.

A. D. 903.  
Leo V.  
Christopher  
A. D. 904.  
Sergius III.

This Sergius III. was a monster of profligacy, cruelty, and vice, in their most shameless and disgusting forms. But it was this very character which made him useful to his party, the duration of whose influence at Rome could be insured only by a preponderance of physical power, and this again only by violence which should disdain all restraints of morality and religion. Sergius was the man for this purpose, who, while he lived in concubinage with Marozia, did not hesitate to yield all the treasures of the Roman Church as plunder to his party. At the same time all posts of influence were occupied by his creatures; the fortress of St. Angelo was placed in their hands; and so firm was the footing which they had gained

during his pontificate, that at the time of his death they felt themselves able to maintain their ground without the support of a pontiff, if occasion should require. Still, however, they found it desirable that the papal see should be possessed by their own creature; and they had no difficulty in procuring an election favourable to their wishes. By their influence Sergius was succeeded by Anastasius III. in 911. In 913, after the death of Anastasius, they caused Landus to be nominated as his successor; and in 914, John X., the favourite of Theodora, was exalted, by the influence of his mistress, to the papal see.

A. D. 911.  
Anastasius  
III.

A. D. 913.  
Landus.

A. D. 914.  
John X.

But although John was a creature of the females who belonged to the Tuscan party, he was not disposed to be the slave of this party itself, nor did he belong to the family connection which held this clique together. Probably he had sought the good will of Theodora only with a view to obtain preferment by her means; and certain it is that, as soon as he had obtained the pontifical dignity, he laboured to rid himself of her influence, or, at all events, to get free from the dictation of those with whom she was connected, and to secure his independence. It appears to have been his object to dissolve the bonds of the aristocracy which had been cemented by the Tuscan party in Rome, or, at least, to compel this party to regard the pope as its head and master rather than its tool. With this view, perhaps, it was that he allied himself to Berengar, and even crowned him emperor in 916, in order that, in case of necessity, he might rely upon his help. In 924, however, Berengar was killed; and John fell a victim to his own policy, which it was impossible for him to carry out independently of

A. D. 928.  
Leo VI.  
A. D. 929.  
Stephen  
VII. or VIII.  
A. D. 931.  
John XI.

foreign aid. The Tuscan party caused him to be murdered in 928, and from that time publicly maintained dominion over Rome, their bond of union having now been strengthened by the marriage of Marozia with Guido, count of Tuscany. They now took care to place the pontificate in safer hands, a son of Marozia being exalted to the papal throne under the title of John XI., in 931.—Leo VI. and Stephen VII. had intervened, perhaps also Martin III.; but the chronology of these popes is very confused.

A movement which at one time threatened this party was rendered harmless. In 932, Marozia, after the death of her second husband, was married to Hugh, count of Ravenna, who, as early as 926, had again deprived the Burgundian king Rodolf of the crown of Italy. Hugh thought that by his marriage he could obtain the mastery of Rome in addition to the crown of Italy, and gave sufficient intimation of his views to the heads of the party who had hitherto shared this dominion with Marozia. These, however, immediately united under the leadership of young Alberic, another son of Marozia, named him Patrician or consul of Rome, drove Hugh out of the city, and compelled him to sign a treaty, in 936, by which he renounced all dominion over the city, and gave it into the hands of Alberic. And Alberic retained this power with so firm a grasp that, at his death in 954, he was able to hand it over to his son Octavian. At that time, however, a change had taken place in the state of Italy, which brought about, even in Rome, a new order of things, or rather effected a restoration of the old order.

In 946 Hugh had transmitted the crown of Italy to his son Lothaire, and had himself retired into a



monastery. The young sovereign immediately encountered the opposition of the count Berengar, of Ivrea, a grandson of the elder Berengar, of Friuli; and this opposition having ended in the death of Lothaire, Berengar was crowned king of Italy, together with his son Adelbert, in 950. In order to insure peaceable possession of a crown which had been thus shamefully obtained, he endeavoured to compel the young widow of Lothaire to give her hand to his son Adelbert. The widowed queen, however, found means to engage in her behalf the valiant Otho I., king of Germany, on whom, as her deliverer, she bestowed her hand in 951, thus transferring to him all her claims to the inheritance of Lothaire. As early as the following year 952, Berengar found himself obliged to sue for peace with Otho, according to the terms of which he consented to hold the kingdom of Italy as a fief from him. Otho was content to make these terms, doubtless foreseeing that circumstances could not fail to arise which would furnish him with a pretext for interfering with the affairs of Italy at a more favourable juncture than the present.

Scarcely, however, could he have supposed that the next occasion for such interference would be furnished from Rome itself; for here, in 956, an event took place, which rendered such a prospect more improbable than ever.

The pope, Agapetus, whose death occurred this year, had exercised his power, during the ten years of his pontificate, in complete subjection to the will of Alberic; but, at length, he manifested some signs of impatience at this restraint, and even made attempts at emancipation from the power of the

A. D. 936.  
Leo VII.  
A. D. 939.  
Stephen  
VIII., or IX.  
A. D. 942.  
Martin III.  
A. D. 946.  
Agapetus II.  
A. D. 956.  
John XII.

patrician. The aristocratical party at Rome took this as a warning that they must not place confidence in any pope whose interests were not closely interwoven with their own; and at the same time formed a resolution entirely in accordance with their whole spirit and character. Upon the death of Agapetus they caused the young Octavian, eighteen years of age, to be nominated as his successor, under the title of John XII., and thus caused the papal tiara and the crown of the Roman principality to meet on the same head.

It is probable that this measure raised up an enemy from without. The king, Berengar, who, after the retirement of Otho from Italy, had acted the part of a capricious and cruel tyrant, soon manifested a decided aversion to the new pontiff. He exacted, at his pleasure, contributions from the estates and patrimonies of the Romish Church, and took other opportunities of seeking a quarrel with the pope. All these things evidently tended to bring on an open war between himself and the Roman rulers; as a result of which he hoped to make himself master of the city, and to bring the Romans under his authority, imagining that they were weary of the sway which had so long been exercised over them. That the Romans were indeed weary of this rule the dominant party knew perhaps more thoroughly than Berengar did, while its leaders were more intimately acquainted than he was with the danger which had now become imminent. They therefore did not hesitate to accept the only means of deliverance which presented itself, although there were not wanting reasons to make them shrink from pursuing such a course. The pope himself sent a message to Germany, by which he earnestly en-

treated Otho to come to his aid against Berengar; and it was this act which became the immediate occasion of that revolution by which repose was restored to Italy, together with a restoration of the ancient order of things.

Otho himself appeared at first resolved to let many of the imperial rights with regard to Rome and the pope remain in abeyance, while he consented to receive the crown at the hands of the pontiff. He undertook the expedition into Italy, to which he was now invited, chiefly with a view to obtain the real sovereignty of that country, urged upon his acceptance by many estates of the kingdom, who sought at his hands protection and justice against Berengar. He was willing to accept the imperial crown, only because he knew that it added dignity and influence to the crown of Italy; and hence he was not reluctant to give a promise beforehand that, as emperor, he would leave the pope and the Romish Church in undisturbed possession of all their property and rights. At Milan he received homage as king of Italy, after the solemn deposition of Berengar and Adelbert, in 962; and he then proceeded to Rome, where he not only renewed his former promise, but gave the pope and the Romans many proofs that it was his desire to continue on good terms with them.

On the other hand, the pope, influenced either by a natural mistrust, by a jealousy to which some special circumstances may have given rise, by bad policy, or by the fickleness of his own disposition, suffered himself to be betrayed into a measure which compelled the emperor to adopt a line of policy different from that which he had proclaimed. No sooner had Otho quitted Rome, in order to lay siege to a fortress in

which Berengar had shut himself up, than the pope entered into a conspiracy with the prince Adelbert against him, brought Adelbert himself to Rome, and, —when the emperor, who had received intelligence of these things, was hastening back to the city,— attempted by a treacherous attack to take his life, or, at all events, to get him into his power. Otho convened a council at Rome, by which he caused the treacherous John to be deposed, and procured the election of Leo VIII., who was entirely in his own interests. By this measure, and others adapted to his end, he restored those relations which formerly subsisted between the emperor on the one part, and the Romans, together with the papacy, on the other.

A. D. 963.  
Leo VIII.

Not that these restored relations were precisely the same as had been established by Charlemagne, and continued under his two immediate successors. When John VIII. bestowed the crown on Charles the Bald, it became impossible that the old relations could be ever perfectly restored, or, if ever, certainly not in so short a space of time as that which had now elapsed. We must therefore take notice of the exact relative position of the pope and emperor at this period; nor must we withhold attention from the fact, and the reason of the fact, that the papacy lost little or none of its influence and power in all its other relations during a period of eighty years, distinguished by vices and disorders such as have been described.

As to the precise position of the pontiff with regard to the emperor, it must be remembered that, during this period, the principle was firmly established that the right of disposing of the imperial crown rested with no one but the pope, or, at all events, with him

and the Romans. From 891 to 916, we find five or six emperors in succession who possessed no other claim to the crown, nor presumed to allege any other, than their appointment by papal authority. Indeed, after the extinction of the Carlovingian dynasty in Germany and France, there was no other by which the imperial crown could be attained. If the descendants of Charlemagne could pretend to this dignity by right of inheritance, still the new kings whom the German people had elected could not put forward any such claims; and even the possession of the crown of Italy could not constitute a title, there being no law or principle whatever to connect the possession of the empire with that of the kingdom of Italy.

The papal pretensions to the right of disposing of the imperial crown were evidently strengthened in the tenth century by the following circumstance. The maxim had been gradually established that the empire was the highest earthly dignity, and the emperor the head of all temporal princes; a maxim which resulted from the generalisation of the principle of the Carlovingian dynasty that the empire should belong to the oldest prince of the family, who should be recognised as superior by all the reigning princes of the house. But when it was asked who constituted the emperor head over all other sovereigns, the lawyers of that age could return no other answer than that it was God who had done this, by means of the pope.

Otho had no idea that the imperial dignity was inseparably connected with the crown of Germany, nor did he imagine that, as the feudal lord of Italy, he could lay claim to the empire; for during the

nine years in which he sustained this character (951-961) he made no effort in that direction. It was not until the pope and the Romans manifested a desire to confer this dignity upon him that he expressed his willingness to accept it, from the only hands which, according to his idea, had power to confer it.

Hence, therefore, it was impossible that the relation of emperor and pope could be restored upon precisely its ancient footing. Although, in some respects, the pope occupied his former position with regard to the new protector of Rome and the Roman Church, or with regard to the new feudal lord of the ecclesiastical patrimonies and territories, still the pope at the same time entered into other relations with the emperor which could not but have a bearing upon the former, or upon the rights which accrued out of them to the emperor.

Some of the ephemeral emperors, who reigned during the period in which the bond of union between Germany and Italy was dissolved, found themselves so circumstanced that the support of the pope and the dominant party at Rome was more needful to them, than theirs was to the pope and Romans. They therefore could not venture to make any use of their undefined imperial rights beyond what was agreeable to the pope and the Roman aristocracy; and hence these rights, if not formally renounced, were yet reduced to a mere shadow. Indeed, it appears that, at this period, some portion of the ancient imperial rights were formally conceded to the pope, by Guido and Lambert.

A great change now took place, especially with reference to one of the most important of the ancient imperial rights,—the confirmation of the pope elect.

In a synod at Rome, John IX. made a new regulation concerning this matter, in which the part assigned to the emperor consisted in sending commissioners or ambassadors to Rome on occasion of a papal election, in order to prevent all tumultuous or violent proceedings.\* Not a word was said of the imperial commissioners taking any part in the act of election; and indeed especial care seems to have been taken lest this regulation should appear to involve even a tacit acknowledgment of the right of confirmation by the emperor. Instead of the assertion of any such right, we find it rather represented to be the duty of the emperor, as the sovereign guardian of the rights and privileges of the Roman Church, to interpose his authority just so far as to protect the freedom of election, but no further.

And here it is worthy of remark that the papacy received no injury from that state of affairs at Rome which, at one time, threatened to deal it a heavy blow. The new aristocracy seemed likely to be highly injurious to the papal power, tending, as it evidently did, gradually to take the government of Rome out the hands of the pope. As long, however, as it made use of the influence of the popes to maintain and strengthen its own position, it was natural that it should work in favour of the papacy, lending it support by all means in its power. Such pontiffs as Sergius III., John X. XI. or XII., themselves belonged to the dominant aristocracy, and were as able to employ the resources of that body to maintain or increase the power and wealth of the Romish see as they were to make the influence of the papacy subserve the views of the aristocratic confederacy. Hence, al-

\* Conc. Rom. A. D. 898.

though, during this period, certain popes were overruled or restrained by the aristocratic party, still the papacy itself sustained no loss; and the confederacy was dissolved before it dared to assume an attitude of open hostility to the holy see.

Nor is it difficult to perceive how it happened that the papacy lost no ground in its ecclesiastical aspects and relations during this period of confusion. Several of the popes who ruled at this time possessed both the will and ability to maintain their spiritual claims, to the full extent to which they had been pushed by Nicholas, as often as opportunity should occur. It was one of these pontiffs, Stephen V., who, in 890, formally proclaimed the principle that all commands and regulations of the Romish see must be accepted and obeyed by the whole Christian Church without opposition or resistance.\* Nor was there any lack of opportunity to put these claims into execution; various occasions presented themselves, from time to time, of making use of the pretended rights.

Thus, in 885, even the emperor Charles the Fat earnestly called for the presence of Adrian III. in Germany, in order to pronounce judgment upon some bishops whom he wished to depose. In 889, the clergy and church of Langres invited his successor, Stephen V., to consecrate a bishop whom they had elected, because the metropolitan refused to perform this act.† In 942, the estates of France were commanded by Stephen VIII., under pain of excommunication, to recognise Louis IV. as their king. So

\* At least this constitution is found in Gratian, Div. xix. c. 4, under the name of this Pope.

† *Fragm. Epist. Stephani V. ad Fulconem Archiep. Remens. (Labbe).*



that although, during this period, the popes, being occupied with the affairs of Rome and Italy, interposed in the business of foreign Churches less than formerly, and perhaps not at all unless invited to do so, still they were not wholly inactive in this respect. Precedents had been established, and a machinery of spiritual despotism had been extensively set up, which during this period was not destroyed, although not very actively at work. It needed only favourable circumstances, and a powerful and skilful hand, to be in full play again. The style of address with which the Roman pontiffs were accosted from all quarters, and their own official language, remained the same as formerly. And besides this, it must be borne in mind that Italy was not the only country which was distracted during this period, but confusion and disorder prevailed to an equal extent in the other states of Europe, especially in Germany and France; so that, if the papacy was weak at home, it was not exposed to danger from any formidable opposition in those other countries over which it presumed to extend its spiritual dominion.

Even the dissolute character and infamous proceedings of the greater number of the popes of this period did not create so much scandal, and become so great a source of weakness, as we might suppose, because these immoralities were not far below the level of the age. Gross immorality was, at this time, generally prevalent among the bishops and clergy; and few of them had reason to consider themselves disgraced by such a superior as Sergius III. or John XII. Unhappily, the members were, for the most part, as licentious, profane, and vicious as the head; and the people were little disgusted by those enormities in a

pope to which they had become accustomed by the practice of their own bishops. So that, if some men of a higher tone of feeling were offended with the gross iniquities of Rome, they formed but a small minority, and were in no position to make an impression upon the great seat and focus of corruption. An attempt was indeed subsequently made to employ this corruption as an argument against the papacy; but it was made too late, and failed.

The disorders which had fermented in Rome during so long a period were too great to be laid to rest by a single act of imperial authority. Before Otho had quitted Italy, and while he was yet engaged against Berengar, John XII. returned to Rome, gathered together the scattered fragments of his party, and thus raised a force which succeeded in driving the imperial pope out of the city, and, after the death of John, proceeded to the election of a new pontiff, Benedict V. The emperor, however, having Berengar and all Italy in his power, easily suppressed this revolt; and, after a fruitless resistance, the Romans found themselves obliged to deliver up Benedict, and to receive again Leo VIII. at the hands of the emperor. So effectual was the lesson of submission which they now learnt that, after the death of Leo in 965, they even sent an embassy to the emperor, entreating him to nominate a successor. In his liberality, dictated either by generosity or by policy, the emperor gave permission to the Romans to choose their own pontiff,—a concession which they construed into an indication of weakness or of fear. They elected John XIII.; but, in 966, Rome was again the scene of tumultuous proceedings, in which John was driven from the city; and Otho found himself obliged to undertake a third expedition

A. D. 964.  
(Benedict  
V.)

A. D. 965.  
John XIII.

into Italy to restore order, which he maintained, not without difficulty, until his death.

When news of the death of this emperor reached Italy in 973, the Tuscan party again rallied, under the leadership of the patrician Crescentius, a son of the younger Theodora,—put to death the pontiff Benedict VI. who had succeeded John XIII. in the preceding year,—and violently placed in the papal chair one of their own adherents, the Cardinal Franconi, under the title of Boniface VII. In the course of a few months, however, this pontiff was expelled by the people, headed probably by another faction; but still the Tuscan party retained the upper hand. The new emperor, Otho II., whose presence was urgently required in Germany, found himself obliged, in order to save his credit, to consent with an apparently good grace to the elevation of one of their creatures to the pontifical dignity in the person of Benedict VII. After his death, however, in 983, Otho found means to carry the election of Peter, bishop of Pavia, under the name of John XIV.; but the emperor died soon after this event, and again the Tuscan party recovered strength. The expelled Franconi, Boniface VII., returned to Rome, and shut up the imperial pope in the castle of St. Angelo, which was under the government of Crescentius. Crescentius now exercised the supreme power under the title of Prince of Rome, and compelled the new pope, John XVI., who was elected by the people after the death of Boniface, to recognise him in this character; the representative of the young Otho III. not being in a condition effectually to assert the imperial authority.

A. D. 972.  
Benedict  
VI.

A. D. 973.  
Boniface  
VII.

A. D. 974.  
Domnus II.

A. D. 975.  
Benedict  
VII.

A. D. 983.  
John XIV.

A. D. 985.  
(John XV.  
not conse-  
crated.)

A. D. 986.  
John XVI.

This very circumstance, however, contributed largely towards the restoration of a state of tranquillity

and order in Rome, which was judiciously employed by John XVI. for the recovery of a considerable portion of papal authority and influence within the city. The Romans had become accustomed to the predominance of the Tuscan party, and Crescentius exercised his rule with moderation. John knew how to maintain a position which the ruling aristocracy found itself compelled to respect; and, at the same time, he had such influence with the people as to prevent any outbreaks of violence and disorder.

It was during this pontificate that the papacy was again called to maintain a struggle with a foreign power, which might have resulted greatly to its disadvantage, if it had happened at a more unfavourable juncture or had fallen under the management of feebler hands. John now found himself obliged to defend the rights of the holy see, as they had been asserted by Nicholas, against the king and the bishops of France.

Involved in this controversy without any fault of his own, and under circumstances which put his skill and firmness to the proof, John stood the trial in a manner worthy of a pope; and, although he did not live to see the termination of the affair, he succeeded in putting matters in such a train as enabled his successor to achieve a signal victory of the highest importance to the interests of the papacy.

Hugh Capet, having made himself master of the throne of France, and having been crowned at Rheims, was engaged in a contest with Charles, duke of Lorraine, the only surviving branch of the Carolingian dynasty, and the rightful heir. By some act of treachery Rheims was delivered into the hands of Charles; and it appeared likely that the traitor

was no other than Arnulf, archbishop of Rheims, a natural son of the king Lothaire, and a nephew of Charles, lately presented to this rich bishopric by Hugh Capet with a view to detach him from the party of Charles. Hugh Capet had great reason to fear the influence of a powerful bishop among the clergy, if it was employed against him; and therefore, in order to neutralise the power of Arnulf, he applied to the pope for a sentence of condemnation against the traitor,\* professing to make this application out of respect to his authority as supreme judge of all bishops; and he caused his application to be seconded by the earnest entreaty of all the bishops belonging to the metropolitan province of Rheims, who were devoted to his interests.

These letters could hardly fail to place the pope in a situation of even greater perplexity than that in which Hugh Capet was himself involved. On the one hand, they presented to him a temptation which it was almost impossible for any pope to resist; for he found himself invited to exercise one of the most important, but hitherto most strongly contested, privileges of the papal see,—the invitation involving a formal recognition of this privilege by the king and bishops of a whole nation. But, on the other hand, there were difficulties of no small magnitude with which he would have to contend if he should yield to this request. Arnulf had powerful adherents even in France,—he was supported by another prince (Charles of Lorraine),—and it was by no means clear that he was guilty of the crime laid to his charge. Still less was it certain that Hugh Capet would be able to maintain his ground; it was possible that eventually

\* Cent. Magd. t. 3, p. 262, 263.

the duke of Lorraine and Arnulf would be in the ascendent ; and Charles and Arnulf had sent an embassy to Rome, urging John not to interfere in the matter.

Under these circumstances, the pontiff would naturally desire to defer his decision until he should see in whose favour the scale would finally turn ; but then, such was the position of Hugh that delay would be equivalent to a decision against him. This, however, was the least of the evils between which John was called upon to choose ; he made his choice wisely, and took measures to retain the king's ambassadors at Rome.

In 991, Hugh Capet succeeded in getting the duke of Lorraine and archbishop Arnulf into his power, and was thus delivered from their opposition. But he found it expedient to proceed formally against Arnulf, lest the clergy should take offence at any summary infliction of punishment by himself. With this view,—and probably also with the design of humbling the pope,—he convened a council from all the provinces of his kingdom, at Rheims, in 991, before which he brought the accused archbishop.\*

At this council some partisans of the pope (John of Auxerre and Abbo of Fleury) endeavoured to stop the proceedings against Arnulf, by objecting to the competence of the tribunal, and declaring that such proceedings would involve an infringement of the rights of the papal see ; appealing to the forged Decretals, by which all matters relating to bishops were reserved, as *causæ majores*, to the hearing of the pope. These representations, however, were received with great impatience, and the speakers were

\* Cent. Magd. ; cent. X. c. 9.

scarcely allowed to finish their addresses. The archbishop Seguin of Sens, under whose presidency the council was assembled, then rose,—read a letter which eleven months before he had sent to Rome, to which no answer had been received,—and declared that this silence on the part of the pope was to be attributed to corrupt influence employed by Arnulf and the duke of Lorraine.

Still more strongly spoke Arnulf, bishop of Orleans, who followed Seguin, and addressed himself to an especial refutation of the grounds which had been alleged for the exclusive jurisdiction of the pope in this matter. To the false Decretals which had been cited by Abbo, he opposed (as Hincmar of Rheims had formerly done) the authority of the Nicene and African councils, by which it was expressly provided that every bishop should be judged by his brethren of the same province. From these canons, and from a series of historical examples, he drew the conclusion that the duty of remitting certain cases to the judgment of the pope related only to such as were difficult or doubtful.—He did not deny that some popes had claimed absolute and unlimited cognisance of affairs relating to bishops; and he granted that in many cases they had succeeded in enforcing respect to their claim. He rehearsed a long list of infamous pontiffs, who had disgraced the Romish see during the latter half of the century, and he asked the members of the council whether they could grant to a John XII. or a Boniface VII., all which had been willingly conceded to a Damasus, Innocent, Leo, or Gregory the Great? He did not hesitate to say that a pope of such infamous character ought to be regarded rather as antichrist than as a successor of St. Peter;

but never, never, he exclaimed, should it be said that all the bishops of Christendom, among whom were so many distinguished for their piety and learning, were subject to such monsters, infamous as they were at once for the most odious vices and for the grossest ignorance. He concluded by recommending that the cause of the accused archbishop, if not decided by the council, should be referred to the neighbouring archbishops of Germany and Belgium, rather than be referred to the bishop of the new Babylon, from whom justice could be obtained only by money.

The speeches made at this assembly were of more importance than its acts. The council could not do more than it did. It deposed Arnulf from his archbishopric, delivered him prisoner into the hands of the king, with an entreaty to spare his life, and appointed as his successor the celebrated Gerbert, who afterwards became pope as Silvester II. The council could have done all this without compelling the pope to declare himself against it; but the principles which had been announced at this assembly, and upon which its decision had been founded, forced him to adopt a dangerous, but decisive, measure in defence of the papal authority. Nothing now remained but for him openly to take the part of the deposed archbishop against the king and the council by whom he had been condemned. John did not shrink from adopting this bold measure; and he did it with a dignity worthy of even Nicholas himself. In 992, he issued a decree suspending all bishops who had taken part in the council at Rheims, and declared them incapable of exercising ecclesiastical functions until they should have revoked their sentence against Arnulf, deposed the new archbishop,



and referred the matter in dispute regularly to Rome.

This decree caused a great sensation in France, and aroused the indignation of the bishops, who inveighed in unmeasured terms against the pope. The new archbishop filled all Germany and France with the most violent invectives against the Romish see ;\* which afterwards, when he himself had been made pope, he would have gladly recalled. Gerbert and the other French bishops continued to exercise their functions as before ; and paid no regard whatever to the papal decree, in the way of obedience or submission. Under these circumstances, John took no further measures for the immediate enforcement of his decree ; but he acted as the wisest of his predecessors would have done in an emergency such as this.

For a considerable time he met the outbursts of displeasure on the part of the French bishops with silence, while he secretly prepared means of overcoming their obstinacy. By his monastic emissaries in France, and by those of Abbo and Ranulf, he wrought upon the minds of the French nation, and spread abroad the seeds of dissatisfaction with the king. He also rendered the people anxious with respect to the consequences of that excommunication under which their bishops were labouring. Some of the nobility were wrought upon by other considerations ; and, in no long time, the king found his whole realm in a state of fermentation which it was not easy to subdue. The popular cry for reconciliation with the pope became urgent ; and the king was at last

\* Ep. Gerbert. ad Abbat. Miciacensem,—ad Seguinum,—ad Imperatricem Adelaidem (Labbe).

convinced that he must not shrink from adopting the only method by which he could hope to allay this dangerous excitement.

Accordingly, as a first step in this direction, he sent an embassy to Rome with a very respectful letter to the pope.\* This letter contained not so much an apology for the late proceedings as a justification of them, with a full statement of the grounds on which they had rested; but the king made this statement with so much modesty, and also preferred so humble a request for a removal of the sentence which lay against the French bishops, that the epistle could be easily regarded as a formal apology. The king also invited the pope to come to France if he found further examination necessary, promising him an honourable reception in that country. But, instead of a reply, John sent a legate to France, charged to tell the king that he was come to preside over a new council, the first business of which should be to cancel the acts of that of Rheims.

It was, however, exceedingly difficult for the French bishops to yield. None of them except the archbishop Gerbert appeared at the council, which the legate assembled at Mouson;† and Gerbert was present only with a view to contest the papal claims. He regularly defended the proceedings of the Council of Rheims, and declared the invalidity of the decree of suspension issued by the pope against himself and his brother bishops. It was only in compliance with the request of some German bishops that he at length agreed, in order to save the dignity of the pope, to abstain for a season from the public celebration of mass, and consented, in the name of his brother

\* A. D. 994.

† Conc. Mosomense, A. D. 995.

bishops, that the matter in dispute should be referred to a new council to be convened at Rheims. Before, however, the council met, the new pope, Gregory V., who had been elected upon the death of John XV., had come to an understanding with the king. Hugh Capet having died in the course of this year, his son and successor, Robert, felt the necessity of allaying the uneasiness of the nation by an agreement with the pope. He therefore sent Abbo, abbot of Fleury, as his ambassador to Rome, with full power to treat concerning the restoration of Arnulf if necessary; and his representations were such that the pope did not hesitate to send a pall for the archbishop, with a legate in whose presence his restoration should take place. The king made no further resistance, but immediately set the imprisoned archbishop at liberty; and the slight opposition which was offered by the bishops at the new Council at Rheims tended only to make the victory of the pontiff more complete. Once more, on this occasion, the bishops undertook to show that their proceedings in the deposition of Arnulf had been orderly and regular. All turned upon the question whether or not the right of jurisdiction over bishops belonged to the pope alone, or to a council also. The papal pretensions in this matter, the importance of which were now fully understood, were assailed by the most irrefragable arguments; but, at length, by the aid of one which was really of no value whatever, they were affirmed and ratified. The French clergy appealed to ancient canons, cited the express decrees of the Nicene, Antiochian, and some African councils, and pleaded the customs of the Church during eight centuries and a large number of incontestable examples; while in opposition to all this the papal legate only adduced the

Decretals of the Pseudo-Isidore, in which all matters relating to bishops were expressly reserved to the judgment of the pope. But the authority of the forged Decretals prevailed. It was declared to be a law of the Church that the office of a judge over bishops belonged to the pope alone; and it was accordingly decreed that the deposition of Arnulf by the Council of Rheims was illegal and invalid. The proceedings of that council were, therefore, annulled, Arnulf restored, Gerbert deposed, and the papal decree of suspension of the French bishops withdrawn.

This was a most important victory for the papacy; especially as being highly seasonable, after the long period of confusion and inactivity, and at the commencement of a new dynasty in France.

Otho III. was on his journey to Rome, whither he had been invited by John XVI., in order to repress the power of the Roman aristocracy, when he heard of the death of that pontiff. Hereupon he determined to nominate as pope a German, in the person of Bruno, one of his own chaplains. This nomination he accordingly made; and he caused Bruno to be elected, according to regular form, at Rome. It is probable that the party in Rome which was opposed to Crescentius and the aristocracy sent intelligence to Otho of the death of John XVI., and at the same time requested him to fix upon a successor.

A. D. 996.  
Gregory V.

The German pope whom Otho sent to the Romans was accepted by them, and was consecrated under the name of Gregory V.; the nearness of Otho, with his army, contributing, perhaps, to make any resistance hopeless. The new pope arrived at Rome in the beginning of May, 996; and Otho reached the city on the 31st of the same month, when he was

crowned with great solemnity. No sooner, however, had the emperor retired to Germany, than Crescentius and his party again obtained the upper hand, expelled the German pontiff, and elected in his room Philagathus, bishop of Placentia, who took the name of John. Otho lost no time in returning to Rome, in order to suppress these disorders (998), where he was met by the people, who brought out to him the newly-made pope with his nose and ears cut off, and zealously assisted him in besieging the castle of St. Angelo, in which Crescentius and his followers had shut themselves up. Otho soon succeeded in his attack; Crescentius and twelve of his adherents were beheaded, and Otho had reason to hope that tranquillity was now restored and placed on a secure footing.

(John  
XVII.)

A remarkable instance of papal usurpation and tyranny took place during this pontificate. Robert, king of France, had married, during the life of his father, the princess Bertha, daughter of Conrad, king of Burgundy, and widow of Odo, count of Blois. Robert and Bertha, before marriage, were allied in the fourth degree of consanguinity; and (what was considered worse) Robert had stood godfather to one of the children of Bertha by her first marriage: but the French bishops did not consider these canonical impediments such as to present an insuperable barrier to the marriage, which was duly solemnised according to the prescribed forms of the Church. The king, therefore, had little reason to suppose that any objection would be raised to his marriage by the pope; and it could not have been without some degree of astonishment that he heard that Gregory complained of the illegality of the act to Abbo, abbot of Fleury, whom he had sent as his ambassador to Rome in the matter

of Arnulf. Still more astonished must he have been when tidings reached France that Gregory had brought the matter before a council at Rome, which had decreed that the marriage was null and void, and required that the parties should separate under pain of excommunication to both, and should perform a seven years' penance, in order to give satisfaction to the Church for the scandal which had been occasioned; while the archbishop of Tours, who had pronounced the priestly benediction on the marriage, and all the bishops who had assisted at the ceremony, were suspended from their office until they should have given satisfaction to the holy Roman see. This measure took effect. Induced by the representations of Abbo, or impelled by some other motives now unknown, the king yielded to the pope's requirement, and put away his queen. Undoubtedly, a considerable accession to papal power must have ensued from the spectacle of a pontiff thus discharging, as was supposed, his duty in upholding the laws of the Church, and, in so doing, exercising an act of immediate jurisdiction over a sovereign, which that sovereign himself unhesitatingly recognised. If, as some suppose, the pope was urged to this measure by the emperor, we have herein an instance of the way in which princes forged papal fetters for themselves.

Gregory, it may well be supposed, was devoted to the interests of Germany; although there is no historical proof of a regulation respecting the election of the emperor by the seven electors which is ascribed to him,—nor even of his having connected the imperial crown with the kingdom of Germany, by enacting that the king of Germany, when elected, should be always recognised as king of Italy also, and crowned emperor

by the pope Still, the devotion of Gregory to German interests might have proved detrimental to the power of the papacy, if his pontificate and the reign of Otho had endured for any considerable space of time ; but Gregory died in 999, a young man, after a pontificate of only three years ; and the death of Otho III. followed in 1002, not, however, until he had given to the Romans another pope in the person of Gerbert, the former archbishop of Rheims, who ascended the papal chair under the title of Silvester II.

A. D. 999.  
Silvester II.

After the death of Otho III., Henry II. and his successor Conrad II. were too much engaged with the affairs of Germany to take any efficient measures for the support of their authority in Italy ; and although they made several expeditions into that country (A.D. 1005 and A.D. 1013, and afterwards), yet during these two reigns a state of insubordination and disorder was maintained by the Italian parties who were struggling for power. In Rome itself the old aristocratic party soon regained the ascendency ; so that, upon the death of Silvester II. in 1003 (soon after the death of Otho III.), they were able to control the election of his successor. The people may have had some share in the elections of John XVIII. and Sergius IV., which followed each other rapidly ; but in 1012 the aristocratic party found itself strong enough to fill the vacant chair with a creature of its own in the person of Benedict VIII., who was able to maintain his ground not only against another pontiff (Gregory), who had been elected by the people, but against the king of Germany himself, to whom Gregory had recourse for aid. During the pontificate of Benedict, which lasted twelve years, the power of the aristocratic party became firmly established ; and

A. D. 1003.  
John  
XVIII.

A. D. 1009.  
Sergius IV.

A. D. 1012.  
Benedict  
VIII.

although, in 1024, it was found expedient to purchase the majority of votes in favour of Benedict's brother, this was chiefly because an extraordinary obstacle to his election arose from the fact that the new candidate was simply a layman. This layman ascended the papal chair under the title of John XIX.; and at his death, in 1033, the power of the party had risen to such a height that it encountered no difficulty in raising to the pontificate a boy not more than twelve years old. By this act, however, this party paved the way for its own overthrow; for this boy, Theophylact, having become pope under the title of Benedict IX., and having disgraced the see by a repetition of those vices and enormities which had prevailed in the time of Sergius III. and John XII., brought on the catastrophe which led to the introduction of a new order of things.

A. D. 1024.  
John XIX.

A. D. 1033.  
Benedict  
IX.

Under these circumstances the papacy could not but lose much of its dignity and influence. But this evil effect was confined to Italy itself, where the Church had little to dread. Henry was so weak in Germany, that neither himself nor his successor were able to interfere with any effect in the affairs of Italy; and the other states of Europe were at the same time fully engaged with their own internal affairs.

At this period the papacy received an unexpected support in the voluntary submission of the Poles to the payment of a tribute to the pope, in return for permission to elect Casimir as their sovereign, who had retired to a monastery, and had been ordained deacon. It greatly assisted the development of the idea of the papacy, when it witnessed a newly-christianised nation thus throwing itself at the feet of the pope, and receiving such a favour at his hands.



Here, then, was enough to compensate for the loss which the papacy sustained by one of the most scandalous events that ever disgraced its history. That event was as follows. About 1043, John, bishop of Sabino, by a process of extensive bribery and corruption, succeeded in driving Benedict out of Rome and obtaining possession of the papal chair under the title of Silvester III. In the course of three months, however, Benedict gathered around him a sufficient force to enable him to make his way into Rome, and to drive his rival out of the Lateran palace. But Silvester still maintained himself in Rome; and Benedict, finding himself unable to hold out successfully against his power, and fearing a second expulsion, openly offered the office of pontiff for sale. Having found a purchaser in a certain presbyter, named John, Benedict abdicated in his favour, consecrated him pope, and gave him possession of the Lateran. But this whole transaction was a mere trick on the part of Benedict. With the money which he had received from John he strengthened his own party; and, having deposed John, he was again acknowledged by his adherents as pope. John, however, obtained possession of one of the churches; and he had friends enough to enable him to hold out against both Benedict and Silvester. Benedict now perceived that the three parties were pretty equally balanced; and he succeeded in persuading his two rivals to enter into an agreement with him, by which all three should retain the pontifical title, and divide among them the revenues of the papal see. This contract was not only made, but carried into execution; and throughout the year 1045 Europe witnessed the spectacle of three popes disgracing the papal chair,

A. D. 1044,  
Silvester  
III.; with  
Benedict  
IX. and  
Gregory VI.

and rivaling each other in the most disgraceful acts of vice.

So gross and scandalous a state of things could not, however, be long endured. From all sides the new king of Germany, Henry III., was called upon to hasten to Italy, and to rescue the Church from its degradation. In 1046 he found himself in a condition to undertake this enterprise; and the prospect of his approach sufficed to give a new turn to the state of affairs. The crafty Benedict, foreseeing the result likely to ensue, sold his share of the pontificate to Gratian, the archpriest of St. John ante portam Latinam, and then, honestly abdicating, retired into a monastery. The purchaser, Gregory VI., was wise enough not to enter into any compact with the two rival pontiffs: he pronounced them unjust usurpers, who had intruded themselves while Benedict was the lawful pope; and declared himself to be his only true successor. He hoped that by this means the emperor would be induced to declare on his behalf, as having the best claim; and he sent to him, while he was yet on his march to Italy, announcing his own succession to the papal chair, and entreating the emperor to hasten his arrival at Rome. Henry, however, had already determined on a different course of proceeding.

No sooner had the emperor arrived in Italy than he convened a large council at Sutri, to pass a decree respecting the popedom, which he undertook to carry into effect. To this council he invited Gregory VI.; and to him the presidency was accorded without hesitation, no one objecting to a form of proceeding by which, in the first instance, the two other popes were to be declared usurpers. No sooner, however, had this sentence been passed, than the emperor, to

Gregory's astonishment, demanded of him an account of the means by which he had procured his appointment; and Gregory, not being able to deny that he had bought the popedom from Benedict, was deposed. It now became manifest that the emperor had left Germany with the design of his predecessor Otho III. to have a German pope. He had even fixed upon the man, and brought him with him,—Suidger, bishop of Bamberg, whom he caused to be elected by the council, and then conducted him into Rome, under the title of Clement II. The two pretenders had already disappeared, and Henry took Gregory with him into Germany.

A. D. 1046.  
Clement II.

Was it not to be feared that now the popes would become totally dependent upon the emperor? And yet they were these very measures of the emperor which systematically introduced the period in which the popes arrived at the summit of their power.

But before we proceed to a survey of these events, we must take a glance at the internal history of the Church, and the progress of the Papacy, during the course of events which have already passed under review in the present chapter.

Before the end of the ninth century attempts had been made to restrain civil rulers in their right of appointing to bishoprics; but it must be remarked that the Church, while proceeding in this direction, was impelled by disinterested motives, and supported by sufficient grounds. In the Frankish monarchy, Charlemagne and Louis the Pious had restored the old method of electing bishops, and had reserved to themselves only the right of confirming

the election. In numberless cases, however, the successors of Charlemagne violated this arrangement; and for one bishop whose election was really left free twenty others were appointed by the mere will of the sovereign. The Church, therefore, according to the established theory, found herself justified in insisting upon the freedom of election, and maintaining it against the invasion of the civil power as often and as far as possible. No attempt was made to dispute or disturb the principle that bishops could not be appointed against the will, or without the consent, of the sovereign; and every one newly elected was accordingly presented to the king for confirmation before his consecration. Even the formularies employed on these occasions have come down to us; and, although it was felt that this custom afforded to the sovereign an opportunity of influencing the elections, and interfering with their freedom, still no idea was entertained of altering the system, or denying to the prince the exercise of what was regarded as a clear and indisputable right. In the history of the ninth century, however, we find at the same time indications of a design to exclude sovereign princes from all power in the election of bishops except that indirect influence which they thus possessed through their right of confirmation. The elections were conducted in a very orderly and formal manner, but so as to appropriate the right of election to metropolitans and provincial councils, to the exclusion of the laity.\* Various attempts were made to establish the regulation that each bishop should be elected only from the church over which he was to preside; and it is mani-

\* This design was openly avowed at a Council of Langres, A.D. 850.

fest that if this point had been carried many temptations would have been removed by which sovereigns were, from time to time, induced to interfere in these elections. And to deprive them of every pretext for such interference, a special right of devolution had been invented in France as early as the time of Hinemar, by which, in all cases in which a Church had made a disorderly use of its privilege of election, there should be no interposition of the sovereign, but the election was to rest with the metropolitan and the provincial council. We find, also, that a Council of Valence,\* A. D. 855, issued a strict charge to metropolitans to be very careful in the examinations of new bishops presented to them for confirmation, and unhesitatingly to reject those who should be found to be incompetent, even if presented by the king,—another regulation which, if carried out, would evidently have operated as a beneficial check upon the abuse involved in royal nominations.

There is no certain trace during this period of any idea of giving the pope an influence in the appointment of bishops, with a view to counteract the influence of sovereigns or the civil power. Some cases are recorded in which, as a matter of fact, the popes did interfere; others also occur in which they formally interposed on such occasions; and some are on record in which they were invited by the Church itself to interfere. But the first class of these cases took place almost always under special circumstances, in cases of foregoing notorious irregularity, or on occasion of disputed elections; and the others, for the most part, only when papal approbation or decision was sought on account of some extraordinary

\* Conc. Valentin. 3, A. D. 855, can. 7.

or not strictly regular proceedings, *e. g.* in the case of a translation, or when the former bishop had been deposed by the pope. In cases of this kind it sometimes occurred that even sovereigns had recourse to the pope;\* while, more than once, we find a pope still recognising the competence of the king to fill up the vacant sees in his dominions, and even calling upon sovereigns not to neglect this part of their duty; and we hear one pontiff during this period (John X.) most solemnly declaring that no bishop could be instituted against the will of his sovereign.

Little, however, was really effected by all the efforts made to limit the power of the sovereign in appointing to the highest offices of the Church. Until the middle of the eleventh century the ancient custom of royal nomination to bishoprics was retained, only under various modifications, in Germany, France, and England. In Germany, where, from the time of the Othos, the kings no longer considered themselves bound by the institutions of Charlemagne and the capitularies of the Frankish monarchs, the election of a bishop scarcely ever took place; the king simply nominated, and announced in a decree to the clergy whom they were to accept as bishop, and to the metropolitans whom they were to consecrate. In France it was the custom, upon the resignation or death of a bishop, to request the sovereign to give permission to the Church and clergy to elect a successor; but it was maintained at court that it was always at the option of the king either to accede to this request, or himself to nominate: so that, when a court chaplain or other favourite was at hand, the Church received, instead of an answer, the newly-

\* Thus Charles the Bald applied to John VIII. (Labbe).

appointed bishop; and this was, in fact, the ordinary method of appointment. As to the so-called election of bishops in the English Church,—an election which, according to rule, was to take place in the presence of the king,—we may judge what occurred by the frequent complaints made on this subject to the popes during the ninth and tenth centuries.\* On the whole, the power of the crown in this matter was, in point of fact, unlimited. If a metropolitan ventured to reject the nominee of a sovereign on the ground of unfitness, he was usually obliged to give way.

As long as the appointment of bishops thus rested in the crown, it was not to be expected that the Church could become independent of the State. During this period, however, some efforts were made, not wholly without success, to diminish the influence of the State over the proceedings of provincial councils, and hence over the course of ecclesiastical legislation. At the end of the ninth century, it was the custom that no provincial council could be convened without the consent of the king; this was, indeed, a recognised principle of ecclesiastical law: it was also considered requisite to give previous notice to the king of matters to be treated of in the council when assembled; a principle recognised by Nicholas I. in his application to Charles the Bald, A. D. 867,† for permission to the French bishops to meet in council on matters relating to his controversy with Photius, patriarch of Constantinople. Examples to the same effect occur also in the tenth century. During this whole period, the French sovereigns were often

\* See Epist. Leonis IV. ad Episcopos Britanniae (Labbe).

† Nicol. I. Ep. ad Carolum Calvum; and see Council of Langres, A. D. 859, can. 7.

present at these councils, presided over their deliberations, and confirmed their decrees, even when the matters under debate were of a purely spiritual nature.\* In Germany, the larger assemblies of bishops usually fell in with the diets, or the king summoned the bishops at the same time as the temporal estates, on which occasion they met in a separate chamber, where all ecclesiastical affairs were discussed in the first instance.† But still the influence of the crown was unimpaired as long as the sanction of the sovereign was necessary in order to the validity of synodal action. So also, in the gradually restored Spanish Church, the first large council convened after a long lapse of time,—that of Oviedo, under Alfonso III.,—was attended by the grandees of the kingdom, who subscribed together with the bishops.

But symptoms of an approaching change in the relations between the ecclesiastical and civil power were now beginning to appear. During the tenth century the custom of seeking royal permission for the holding of provincial councils began to be discontinued.‡ Not only in the history of the English Church, which attained great power during this century, but also in that of the Church in Germany, we find that several councils were held without knowledge and permission of the sovereign. And it availed little to concede to sovereigns the right of assembling their bishops in council, if at the same time

\* *E. g.* under Charles the Bald; and see Council of St. Macra, (Fines), A. D. 881, under Louis the Stammerer.

† See Acts of the Council of Tribur, A. D. 895, and those of an earlier Council of Mayence, A. D. 847, under the Archbishop Rabanus Maurus.

‡ Council of Trosley, A. D. 909.



the bishops assumed the right to meet when they pleased without being so convened.

Still, however, although the bishops met sometimes of their own accord, they were obliged to have recourse to the sovereign in order that their acts might possess any validity. By degrees, however, a change took place, even in this respect, which eventually involved loss to the civil power.

Towards the middle of the tenth century, or rather earlier, the regular business of provincial synods suffered great interruption. The bishops generally desired to be excused from attendance upon these assemblies, and hence the institution once more declined. At all events, the ancient regulation that a provincial council should be held annually, at some given time, fell into general disuse. Such councils were now convened only on special occasions, and those occasions were carefully avoided ; so that in many a metropolitan province a council was held hardly once in twenty years.

Hence the State had fewer opportunities than formerly of exercising its constitutional power in Church matters, and in taking an effective part in ecclesiastical legislation. But it was not at first that the whole loss which it suffered in this way could reveal itself. It was only by degrees that the part which the State had taken in ecclesiastical affairs through the councils was forgotten ; it was gradually, also, that another method of transacting ecclesiastical affairs was introduced, in which the necessity of State interference was not recognised ; and then, before men were aware, the civil authority in Church matters was altogether ignored and set aside. This could never have happened—or, at all events, not without

a struggle,—if the old practice had been maintained by which the bishops assembled every year under permission of the sovereign.

The State was again a still greater loser by the progress of that influence over Church councils which was claimed, and soon obtained, by the popes. Whether or not this was the result of a systematic design on their part, certain it is that their attainment of this influence is an important phenomenon in the history of the constitution of the Church.

The early pontiffs of this period appear to have given a hearty welcome to that doctrine of the forged Decretals by which the right of convening General Councils was assigned exclusively to the Roman see, and all their decrees required confirmation by papal authority. Nicholas I. evinced a disposition to act upon this new assumption;\* but he was thwarted in his attempt. For a century afterwards no pope attempted to summon foreign bishops to Rome by his own authority,† except in cases of appeal, or when otherwise such bishops were required as parties in some judicial process. But it was now frequently the case that larger or smaller assemblies of bishops met, at the instance of the pope, within the borders of his own dominions. Either the pope despatched a legate to these assemblies to act on his behalf, or issued a commission to one of the bishops of the province, with power to decide a cause or settle a controversy in conjunction with his fellow-bishops; and although it was regular to send a notice of such proceedings to the sovereign, still such notice lost more

\* Nicol. I. Ep. 27.

† Perhaps with some slight exceptions in the pontificate of John VIII.

and more the form of a request. Imperceptibly the form of a simple communication was introduced; princes themselves gradually forgot that they had ever had anything more to do than to receive such communication; and this practice soon extended itself to whatever was done and decreed at these assemblies. Acting under the authority of the pope, the members of those councils believed that there was no occasion for the interference of the civil ruler; and if the subject of deliberation was a question of right, or affected only private interest, it was not judged necessary even to send a report of the proceedings to a civil tribunal. In this way such communications gradually fell into disuse; and the civil power failed to retain its influence over the Church by making a wise use of the acknowledged remainder of its privileges in assembling councils at its own pleasure.

Attempts were now made from time to time to give full effect to those ancient canons by which the clergy were to be regarded as in all cases exempt from the jurisdiction of the civil courts;\* but although, perhaps, during the tenth century, some slight advance was made towards the attainment of this object, still, on the whole, while the theory of clerical immunity was admitted in general, this admission was attended with so many exceptions and limitations that in practice it amounted to but little. The bishops were suffered to take cognisance of ecclesiastical offences committed by their clergy, and to decide in suits in which both parties were ecclesi-

\* Conc. Mogunt., A. D. 888, can. 83; Conc. Viennens., A. D. 892, c. 21; Nicolai I. Resp. ad Consultat. Bulgaror. (Labbe).

asties; but with respect to all civil suits in which the laity were involved, and concerning all crimes of the clergy against the State, judgment was given in the civil courts; although, indeed, from fear of the bishops, who possessed great wealth and influence, men were often indisposed to proceed against the clergy at all. At the same time the bishops themselves were not exempt, and never claimed (or, perhaps, on the whole, never even desired, during this period) to be exempt from the jurisdiction of the sovereign; but the principle was now affirmed that no bishop could be deposed without the assent of twelve of his peers to the sentence,\* perhaps with an opportunity of appealing to the pope; and the French bishops applied to Nicholas I. for his assistance in establishing the still further privilege that no bishop should be deposed without previous notice to the holy see. But instances occurred during the tenth and eleventh centuries in which the sovereign power of the State inflicted punishment upon delinquent bishops without regard to such restrictions.

All those modifications and limitations respecting the exemption of Church property from taxation and tribute, which had been established under the Frankish monarchy, continued in force during this period; so that, in fact, ecclesiastical property bore all these burdens in common with all other property, except that there was an immunity in favour of that portion of land which constituted the fundus, or foundation, which every church was bound by law to possess.† At the same time the bishops complained heavily

\* Leo IV. Ep. ad Episcopos Britannia (Labbe); Conc. Tribur. c. 10, A. D. 896.

† Conc. Meldense (Meaux), A. D. 845, can. 63.

of the outlay involved in the obligation to entertain the sovereign during a royal progress through their dioceses, which was an event of no unfrequent occurrence.\* And it is worthy of remark that not only the Franco-German Churches acknowledged their liability to taxation, but that during this period even the English Church recognised its duty to contribute to the necessities of the State, notwithstanding the influence which was attained by Dunstan (in the tenth century), as archbishop of Canterbury, under two weak monarchs. Attempts to change the ancient custom in this respect were, however, not altogether wanting.†

Nor would it have been easy to claim effectually the exemption of Church property from tribute and impost as long as it was held by feudal tenure. The feudal system was probably brought to its perfection and generally established throughout the West during the latter half of the ninth century. The owners of landed property, whether large or small, now for the most part sought the protection of this system; and the bishops, with others, thus became feudal tenants, or vassals, of the king, with respect to their temporal possessions. It now became at once the duty and the interest of the sovereign to protect those possessions from rapacity and violence; but, at the same time, it is evident that this relation of feudal lord gave the sovereign a new and powerful hold upon the bishops. It was probably during the tenth century

\* Ep. of French bishops to Louis, king of Germany, A.D. 858 (Labbe); Conc. Meld. A.D. 845.

† See the first of the constitutions of Odo, archbishop of Canterbury, A.D. 943. Subsequently, in 1098, Anselm, of Canterbury, although he granted a subsidy to the king, declared to his clergy that he felt himself bound to pay it out of his private property.

that the bishops entered into these feudal relations which were formally declared and recognised by the newly-introduced ceremony of episcopal investitures. It now became customary that every newly-elected or newly-nominated bishop should receive from the king, previously to his consecration, the property and regalia which belonged to his bishopric. This delivery of the fief, called investiture, was transacted, according to the customs of the age, by the symbolical act of delivering to the bishop a crosier and a ring, as the insignia of his office. The precise date of the introduction of this ceremony of investiture cannot be fixed; but it is certain that no traces of it are found before the beginning of the tenth century, and that, at the end of that century, or certainly at the beginning of the eleventh, it universally prevailed. And here it is to be observed that, although the State acquired in this way no new claims, it certainly obtained a fresh means of enforcing its claims, whether with reference to payment of tribute or otherwise. And hence, perhaps, we may best account for the fact that from this time we find bishops frequently giving personal attendance upon the kings in their campaigns. It therefore became more impossible than ever for a bishop to be elected and maintained in his see in opposition to the will of the king, his feudal lord, by whom he was to be formally invested with his property and jurisdiction. It was but for the sovereign to refuse investiture, and the election of a bishop of whom he did not approve was rendered nugatory.

The bishops indeed began now strongly to insist upon their character and claims as lords spiritual, together with those which they possessed as lords temporal. They denied that, as bishops, they were vassals of the

king;\* as representatives of the Church they claimed to possess a power entirely independent of the State. God, they said, had divided the government of the world between priests and kings, and neither party ought to interfere with the functions of the other; and not only so, but of these two powers, the priestly is evidently higher than the regal.† Kings, therefore, could in no case claim jurisdiction over bishops in their priestly character; but bishops did possess a spiritual jurisdiction over kings, being fully entitled to admonish them concerning their duty, and to inflict ecclesiastical censures and penalties upon them in case of delinquency. From the circumstance that kings were anointed by the hands of the priest, the bishops claimed indirectly the power of making kings; it being from God that kings received their authority, not without the intervention of his instruments, the priests. It was held that the anointing and coronation of a prince was not merely a ceremony of introduction or consecration to the regal dignity, but an act by which such dignity or power was first conveyed to the prince by God, and an act which none but a bishop could perform: on these principles, at the end of the tenth century, the just claims of Charles of Lorraine to the crown of France were opposed by the declaration that God, by his judgment (*i. e.* by the judgment of the bishops), had selected one more worthy, in the person of Hugh Capet.‡ And it is worthy of remark that, during the period between his election and anointing,

\* *Epistola Episcoporum e synodo apud Carisiacum, missa ad Ludovicum regem Germaniæ* (Labbe).

† See Council of St. Macra (*hod. Fimes*) A. D. 881.

‡ “*Regnum accipere non potuit Carolus, quia deus suo judicio meliorem elegit;*” see *Rec. des Hist. de France*, tom. 8, p. 307.

Hugh Capet did not assume the title of king, but only of king elect, or future king.\* These principles also prevailed in England to such an extent that, in 975, Dunstan and his bishops made a king by their own authority. The majority of the English nobility desired to raise to the throne another prince of the royal blood, contending that, according to the constitution, they possessed the right of election, and were not bound to hand over the crown to the eldest son of the previous monarch. The bishops did not dispute this principle; and, while they favoured the eldest prince, Edward, they did not insist upon his birthright, but they elected him king, and pretended that the nation was bound to acknowledge him in virtue of this election. They claimed, therefore, an independent right of election, as bishops; a right which they might exercise indeed in concurrence with the temporal estates, but which was also sufficient to suspend or nullify their decision. We find also that the English bishops pronounced sentence of excommunication against their sovereigns several times in the course of the tenth century. The French and German bishops did not at this time proceed to such lengths; but they did insist upon the great respect due to their spiritual character, and on one occasion they made a loud remonstrance against being called upon to take the oath of allegiance in the ordinary way, on the ground of its being derogatory to their priestly dignity.† Doubtless, a concession on this point would soon have been turned to good account. But no such concession was made. And we find that Hincmar of Rheims was afterwards obliged to renew his oath, with the customary

\* *Diploma Hugonis Capeti*, ap. Mabillon *de Re diplomat.* p. 575.

† In their *Epistle to Louis of Germany*, A. D. 858.



observances, when his fidelity had become subject to suspicion.\*

In all the nations of Europe it was a settled maxim that the bishops, as spiritual barons, constituted the first estate of the realm, taking precedence of all temporal barons. Consequently, in proportion as the influence of the latter increased, the bishops received a corresponding elevation; the advancement of the lower order of itself raising up that which was confessedly and always superior to it in dignity. And when, in the course of the tenth and eleventh centuries, the temporal dukedoms and earldoms became hereditary, the bishops endeavoured in various ways to indemnify themselves for the disadvantage which they thus encountered, sometimes by inducing the sovereigns to endue them with the character of viceroys in their respective dioceses, and sometimes by grasping at several dioceses and uniting them, so as to possess an overwhelming amount of wealth and extent of territorial influence. These things took place while the power of the barons was an overmatch for that of the crown; but, as soon as the crown recovered its influence, the bishops also were restrained within their former bounds. They were glad, indeed, to place themselves in a state of almost servile dependence upon the crown for protection and safety; and it was not long before the greater number of the French bishops found themselves stripped of nearly all the greater regalia which they had possessed during the present period. In Germany, however, it was the policy of the kings to cherish the political power and influence of the bishops, as a check upon the temporal

\* *Juramentum, quod Hincmarus Arch. edere jussus est ann. 876 (Labbe).*

nobles. They gave them even the rank of counts in their dioceses ; bestowed upon them many of the regalia which had been formerly granted to none but dukes ; and even granted them some whole dukedoms. At the same time they gave many dioceses to their own sons and relatives ; and thus had one more reason for maintaining episcopal dignity and influence. Hence it was that the German bishops became different from the bishops of all other countries, and were exalted to a rank of temporal dignity such as they nowhere else possessed. But these prince-bishops lost their spiritual influence in proportion as they gained temporal advancement.

The bishops still held in their hands one powerful means of exercising control over the affairs of ordinary life, and even of influencing affairs of state, in the administration of spiritual discipline, or the infliction of ecclesiastical punishments upon laymen. And this power was more effectually wielded during this period than in any former ages of the Church.

Formerly, indeed, no one disputed the right of bishops to administer the censures, or to inflict the penalties, prescribed by the Church ; but there was a great want of means at their disposal whereby they could compel a criminal to undergo the penance denounced, and many considerations arose to prevent them from proceeding to extremities, even with such as were within their power. Their last resource was a sentence of excommunication, or exclusion from public worship and the benefits of Christian communion ; but it was well known that ninety-nine offenders out of a hundred were disposed to make no account of a sentence such as this. It became therefore a matter of

prudence not to be too lavish with sentences of excommunication ; and such a course was even enjoined upon the bishops by the wiser pontiffs, lest ecclesiastical authority should fall into contempt. A plan was therefore devised, from about the beginning of this period, for calling in the aid of the temporal power in order to enforce the sentences of the Church ;\* and this duty was accordingly imposed upon the chief magistrates of every district ; especially they were required to enforce the infliction of ecclesiastical penalties in matters of which the civil courts took no cognisance, *e. g.*, matters of adultery and divorce. In this way, however, but little was gained. The civil power was not always forward with its help. The power of magistrates extended only over the lower classes of the people, or was at all events formidable only to them. Knights and others, and even the vassals of a powerful knight, easily found means to escape the penalties imposed ; and, even when they were within reach of the law, the magistrate hesitated to proceed against them, unless they had other grounds besides the bishop's sentence. And by whom could the magistrates themselves, with the higher nobility, dukes, and kings, be compelled to submit to the discipline of the Church, unless they could be persuaded to do so of their own accord, or through fear of future punishment ? A distinction was accordingly now made between simple excommunication, and the ban or anathema ; the latter not being, like excommunication, the mere deprivation of privileges, but consisting in the pronouncement of a positive curse, involving, as was supposed, no less than condemnation in the eternal

\* Council of Mayence, A. D. 847, c. 28 ; Convention of Coblentz, A. D. 860 ; Council of Tribur, A. D. 896, c. 8.

world, in addition to the disadvantage, or loss of present privileges, contained in excommunication. An introduction to this distinction was made as early as the ninth century, the threat being now held out to certain criminals that, in case of contumacy, they should be visited not only with excommunication, but also with the anathema\* of the Church. It was assumed that these ecclesiastical curses or anathemas were fully ratified in heaven; and forms of imprecation the most tremendous were adopted in order to strike terror into the minds of the disobedient.

It had been hitherto supposed that exclusion from the Church, or excommunication, involved a curse; and the present system consisted in a separation of what had been before combined under one idea. By this means was established a gradation of punishment, enabling the Church to be sparing (as was necessary) in her infliction of the heaviest penalties, and to employ the threat of infliction by way of terror, rather than to bring those penalties into contempt by actually visiting them upon offenders who were indifferent to their effects. This threat, if it made no impression upon the offender himself, was likely to be useful in its effect upon the minds of others; and when the Church did not choose to execute it in the case of some powerful or incorrigible criminal, she could at all events claim the credit of long-suffering and compassion.

The bishops, at the same time, sought to connect civil disadvantages or penalties with their anathemas. Hence they endeavoured to propagate a belief that every one who had fallen under this ecclesiastical sentence was incompetent to discharge any civil office,

\* Council of Pavia, A.D. 850, can. 12; Adrian II. in an Epistle to the nobles of Lorraine (Labbe).

or to take part in military service; a principle which was formally established as law by a council at Pavia, A.D. 850.\* Besides this, it was understood that an excommunicated person could not be admitted as a party in a suit before an ecclesiastical tribunal, nor could be received as witness in any Church court; and that he could not entrust a will to the custody of the Church, or prove a will by the regular formalities. In certain cases he was deprived of the benefits of a civil court, being incapable of taking an oath. He could not marry, for no priest could pronounce the necessary benediction. He could not become a tenant of any Church property. His remains could not be buried in consecrated ground; a penalty of which an offender might be personally careless, but one which was felt to involve a standing disgrace to all the members of his family. The ban of the Church was therefore no imaginary terror; it involved, when carried out, real inconvenience and loss. But still the question remained, how to deal with the more powerful offenders? And before the close of this period, an expedient was devised which was capable of reaching them, and was indeed especially adapted to make the weight of Church authority and censure felt in high quarters. This was the so-called Interdict; which was not employed with a distinct view to the object now stated until the tenth and eleventh centuries, although some traces of it may be found as early as the ninth.

When a crime had been committed against the Church, for which no satisfaction could be obtained on account of the power of some haughty offender, or for any other reason, then the bishop put the whole

\* Council of Pavia, A. D. 850, can. 12.

place in which the offender lived, or the whole district to which that place belonged, under an interdict,—that is to say, he caused all offices of public worship to cease or be suspended. All the churches of that place were closed, and all relics which they contained were withdrawn from public view; all crucifixes and images of the saints were shrouded; no bells were rung; no sacraments were administered; no corpse was buried in consecrated ground; and notice had been given that this state of things would be continued until the demands of the Church should have been fully satisfied, and the alleged injury repaired. By this means such a ferment was raised in a whole population that even the most powerful were at length obliged to yield.

The first attempt at an interdict, made in the ninth century, appears to have been a complete failure. It was made, without sufficient precaution or consideration, by Hincmar of Laon, in 869, in the course of his dispute with Charles the Bald: but his sentence was reversed by his own metropolitan.\* A second weak attempt, also involving a failure, was made by pope John VIII., A.D. 878, against Lambert, duke of Spoleto, when the pontiff caused the high altar of St. Peter's to be shrouded, and the church itself closed; but this was not done till Lambert had quitted the city;—and, when afterwards John himself left Rome, it seems likely that the altar and the church were speedily thrown open, and the interdict was at an end. The most striking effect of an interdict, during this period, was in the case of that pronounced by Gregory V., in 998, against the whole French nation, by which he is said to have compelled

\* Hincmar, Rhemens. Ep. 1 ad Hincmar. Laondun. (Labbe).

the divorce of king Robert from his queen Bertha. And some stronger instances occurred during the eleventh century. This punishment sparingly applied, was of great power; especially when it was ordained that the interdict should not be taken off, until all loss which the clergy might have sustained by it should be repaired.\*

More beneficial was the influence of the Church upon the general administration of criminal law, and the course of legislation; nor was it the fault of the Church that it did not work still more extensive benefit in this direction. There were certain civil causes of which the bishops took cognisance in their spiritual capacity, while others were brought before them in their character of temporal lords; and in those ages the episcopal courts were favourably distinguished from the civil by their character for superior justice and moderation. The Church was at this time regarded also as possessing, by Divine right, not only a kind of censorship over the administration of justice by the civil magistrate, but also a supervision of the course of legislation, being charged with the duty of suggesting and promoting improvements in existing laws and institutions. Hence the introduction of the well known *Treuga Dei*, which contributed largely to quell the animosities and subdue the ferocity of a barbarous age. In this way also some limits were set to the abuse of oaths in courts of justice;† and a wholesome check was given to the practice of judicial combats.‡ More indirectly, yet still more extensively, the Church exercised a most beneficial influence upon

\* Conc. Lemovic. (Limoges) 2; Mabillon, *Annal.* t. 4, p. 301.

† Council of Valence, A. D. 855, can. 11.

‡ *Ib.* can. 12.

the age by its management of the system of ordeals. This system, which, perhaps, the Church was itself unable very speedily to suppress, it did, however, control, in its own way, very often for the protection of innocence, and very often also for the saving of human life ; until at length the Church was foremost in denouncing the unreasonableness and folly of the system, and contributing to its final abolition.

Not yet had the ancient relations between Church and State been so inverted, as for the State to be subordinate to the Church, or dependent upon it ; and it is easy to perceive why matters had not proceeded thus far. As long as the State could influence the Church from so many quarters,—and as long as sovereigns retained power by the part which they took in the appointment of bishops, by their influence upon councils, and especially by their feudal superiority over the bishops,—means could not be wanting with which effectually to meet and counteract the efforts of the Church for supremacy. It was indeed asserted as a theory that the Church and the priesthood were superior in dignity to the State and royalty, and this theory was even to a certain extent admitted ; but the Church, so far from having been able to reduce this theory to practice, did not even attain a complete independence of the State. The representatives of the Church appear to have been fully sensible that this independence could not be attained while so many points of contest between Church and State were suffered to remain ; for throughout the next period they laboured at the removal of these impediments with a zeal and a steadfast determination which disclosed their consciousness of a clearly-defined object.



Notwithstanding all the regulations made in preceding ages for the consolidation of the hierarcho-monarchical power of the bishops, it was still found needful during the present period to adopt further measures for the more effectual attainment of this end.

For this purpose the new principles contained in the forged Decretals of the Pseudo-Isidore, by which the bishops might be placed beyond the reach of their clergy, were brought into practical operation. In the acts of the several councils at the end of the ninth century and the beginning of the tenth, we find a distinct and systematic embodiment of principles scattered up and down these Decretals respecting the course of judicial proceedings against bishops. That a bishop could be judged only by twelve of his peers,—that he could not be condemned upon the testimony of less than seventy-two witnesses of unquestionable character,—and that he could not be accused by a presbyter,\*—all this was unquestionably derived from the false Decretals, together with the principle that no sentence could be pronounced upon a bishop by any other tribunal when once he had appealed to the pope. This latter arrangement, while it tended to increase the power and dignity of the pontiffs, promised still greater benefits to the bishops; so much so that it has been thought to have formed one great part of the design of the forgery to deliver the bishops from the power of the metropolitans, and at the same time to place them further than ever above the reach of proceedings originating with the inferior clergy. The practical result of this measure, however, was not to increase the despotic power of the bishops; the pope

\* Council of Mayence, A. D. 888, can. 12; Council of Tribur, A. D. 895, c. 10.

being found not more, but rather less, disposed than the metropolitans to show partiality in their favour: but at the same time additional weight was given to their legitimate authority by the assertion of powers which really belonged to them in the exercise of discipline over their clergy.

It appears that in some places the presbyters made attempts to take into their own hands the exercise of episcopal functions.\* It is evident also, from the frequent enactment of laws against the *clerici acephali*, that the bishops found trouble arising from the great number of clergy who were not regularly settled in parochial cures. Many of these were the domestic chaplains of noblemen or private gentlemen, who abounded in that age, and often set the bishop and his authority at defiance. Others were clergy who wandered about from place to place without any fixed duty, having received vague ordination;—a practice which had been introduced in the seventh century in order to assist the work of missions, and had been continued and extended by the fault of the bishops themselves, on various pretences, but not without giving rise to a suspicion that in the needless multiplication of ordinations some regard was had to the ordination-fee,—for such fees were paid in the eighth century, and contributed to swell the revenues of the bishops. From the middle of the ninth century canons were frequently made, and various measures adopted, with a view to remedy this grievance.† But no effectual remedy was found until the bishops re-

\* A. D. 868, Conc. Wormat., can. 8.

† Conc. Wormat., A. D. 868, c. 18, 62; Conc. Nannetens., c. 11; Conc. Meldens., A. D. 845, c. 43; Conc. Roman., A. D. 983; Conc. Ticinens., A. D. 855.

solved to abandon the practice of these vague (absolute) ordinations, and to adhere strictly to the practice of the ancient Church. To this decision they did at length come;\* but the more modern practice had become too deeply rooted to be entirely removed, and we find that at the end of the tenth century it continued extensively to prevail.†

Efforts were continually made during this period to enforce the celibacy of the clergy: but the law was in many cases relaxed in favour of those ecclesiastics who had married before ordination; and, so far as it was enforced, it led to immoralities and disorders of a fearful kind, exceeding in some instances the offences attending the prevailing system of concubinage,—a system under which the ecclesiastic who had only one concubine was regarded as a demi-saint.‡

It is an error to suppose that the marriage of the clergy was now formally permitted, or that it received legal sanction. In particular instances it was connived at, but that was all. The laws against it were never abrogated, and were in fact frequently renewed.

It might have been supposed that the Church would willingly have relaxed her discipline on this point in order to avoid the scandal arising from the gross immoralities to which it led; and that, even if it clung to the ascetic doctrine concerning the superior dignity and purity of a state of celibacy, so as to regard the legalising of marriage among the clergy as an evil, still it would have made this concession with a view to avoid what it may well have regarded as a

\* Conc. Ravennat., A. D. 877, c. 14.

† Mabillon., *Annal.* tom. 4, p. 134.

‡ Hincmar's Regulations for the Clergy of his Province (Labbe); Conc. Wormat., A. D. 868, c. 9; Conc. Nannetens., A. D. 888.

still greater evil. But the Church continued to regard the marriage of the clergy as the greater evil, greater than clerical celibacy with all its enormities; and it seems to have considered that this question involved that of the preservation of Church property. It was found that married clergy saved a provision for their children out of their clerical incomes, and even that there was a tendency to appropriate benefices as family property; and it was foreseen that in this way the Church would lose considerable hold upon property which would be thus more or less diverted to secular purposes. This motive was in fact broadly stated by Benedict VIII. at the Council of Pavia in 1012 or 1022.\*

The property of the Church was exposed to spoliation from powerful neighbours, such as dukes and barons, who, whenever they fixed their regards upon an ecclesiastical estate, easily contrived to make a quarrel, and then proceeded to seize the desired possession by force of arms. Against such invaders it was in vain that the Church thundered sentences of excommunication and of ban;† in vain did the bishops of several provinces enter into a confederation in order to give greater weight to their denunciations and anathemas;‡ in vain did they even call for and obtain dehortations and inhibitions from the pope.§

At length the bishops resolved to defend their property by the intervention of legal protectors and advisers, whose advocacy was costly, and who in

\* Conc. Ticin., A. D. 1012 or 1022.

† Conc. Tullense, 2, A. D. 860, c. 4, and Epist. synod.; Conc. Valentin, 3, c. 8.

‡ Epistola syn. Parisiens. ad Ducem Nomencium (Labbe); Conc. Valentin, 3, c. 13; Conc. Tricassin, 2, A. D. 878, c. 4.

§ Nicolai I. Ep. ad Aquitanos (Labbe).

course of time learnt to act in some cases rather as owners of the property than as its guardians. No real security could be obtained for Church property until the law became strong enough to protect it.

More effectual were the measures taken during this period for protecting Church property from alienation by ecclesiastics themselves. At the Council of Soissons, in 853,\* the French bishops assented to a law by which they were prohibited from alienating or even exchanging any of the landed property belonging to their churches without the knowledge and consent of the king; and it may be added that a fresh security was now given to this property by the feudal system.

The clergy next in rank to the bishops appear to have been distinguished by their rapacity. When a bishop died, his cathedral clergy lost no time in appropriating his moveable effects, long before the episcopal remains were consigned to the tomb; and the same appears to have taken place very frequently on the death of a pope.†

It may be observed that the clergy did not now possess the same means as formerly of replenishing their treasury from large donations and bequests. Donations and bequests did indeed continue to be made, and men still supposed that in this way the favour of heaven could be purchased; but there was no longer the plea of poverty on the part of the Church to induce large donations, and it was often found that even rich donors considered how little would be sufficient for the Church to receive, rather than how much

\* Conc. Suession. 2, can. 13.

† Syn. Roman., A. D. 904, under John IX. can. 11.; Council of Ponticon, A. D. 886, c. 14.

it was in their own power to bestow. New churches and bishoprics were founded indeed, on a large scale, in Germany, during the tenth and eleventh centuries, but from motives political rather than religious.

Tithes, however, had now become a more profitable source of income than formerly. Not only had the opinion concerning the Divine right of tithes gained ground among the laity, but the Church had learnt to protect itself against the various pleas for exemption from payment which had been set up, and to guard against the numerous artifices and devices employed for evading payment. Farmers of Church lands had thought themselves exempt; and persons who maintained domestic chaplains had claimed the privilege of paying their tithes to their own churches or chapels: but both these claims were now annulled by law.\* It was declared also that tithes were immediately due from land newly brought under cultivation, in opposition to a supposition that such lands might be exempt for a certain time.† And it was now formally decreed in France and Germany, as it had previously been in England, that tithes were payable not only from land and cattle, but from every source of revenue whatever.‡

At the same time new facilities were obtained for collecting tithes, the Church being relieved from the necessity of a tedious and expensive application to the civil courts for the maintenance of its rights against recusants and defaulters, and authority being given to

\* Conc. Sussion. 2, A. D. 853, c. 9; Mandata Missis Dominicis per regnum directis data, cap. 6; Conc. Ticinens., A. D. 855.

† Conc. Tribur., A. D. 895, c. 14.

‡ Council of Trosley, A. D. 909: "Audi quicumque es, miles sis, negotiator sis, artifex sis. Ingenium de quo pasceris, Dei est, et ideo inde dare debes ei Decimas."

the bishops to take cognisance of such cases.\* So that even if we make all due allowance for frauds, evasions, and necessary remissions, we perceive that the system of tithes under these circumstances must have produced an enormous amount of ecclesiastical income.

The theory still remained that the administration of all the Church property of a diocese appertained to the bishop; but during the first half of this period it was arranged that the property assigned for the sustentation of the cathedral clergy (the chapters) should be administered by themselves, a voluntary cession to this effect being often made by the bishops who were favourable to the introduction of the canonical life among their clergy. Other bishops soon found themselves obliged to follow this example; and at the end of the eleventh century there remained perhaps not a single chapter which had not acquired the right of managing its own property.

During this period also full prevalence obtained for the practice, which had begun during the seventh and eighth centuries, of attaching to ecclesiastical offices certain benefices, such as portions of land, or charges of tithes or other dues, as a more permanent provision than the annual payment which the bishop was formerly accustomed to make at his discretion.

As early as the end of the ninth century, the Church increased the severity of its laws respecting matrimony, extending the impediments to marriage to the seventh degree of consanguinity,† and constituting also spiritual relationship, *i. e.* the relation of sponsor

\* Council of Ingelheim (under Otho I.), A. D. 948; and at Augsburg, A. D. 952.

† Council of Mayence, A. D. 847, can. 19, 20.

and godchild, an impediment. It was also ordained that even the children of fellow-sponsors should not intermarry; but this rule was relaxed.\* Laws concerning divorce were also strictly enforced.

The system of penance already established was professedly maintained in all its strictness; but a practice was now introduced, destined to give rise to great and flagrant abuses in this department. This consisted, not in the exchanging of one form of penance for another, not in the addition of a pecuniary mulct to prescribed penances, out of a deference to the spirit of the age (customs which had already been introduced), but in permission to pay a sum of money in lieu of undergoing the penance enjoined. In the twelfth century a regular tariff was established, denoting the equivalent in money for the various penances which the Church was in the habit of imposing. But even now this system of indulgence was not applied to the purpose of raising money for the use of the Church; the money being still appropriated to the relief of the poor, and the penitent being left at liberty to distribute it in alms. The object of the Church in adopting this measure was to save its authority and credit as far as possible, by imposing a penalty to which men would be willing to submit, while they were ready to refuse compliance with more painful or humiliating penances originally prescribed. With the same intention, no doubt, another system of compounding for penance was adopted during this period, by admitting as an equivalent the repetition of a prescribed number of paternosters or other forms of devotion. Thus, sixty paternosters repeated by the penitent on his knees, or fifteen paternosters and fif-

\* Conc. Tribur., A. D. 895, can. 48.



teen misereres repeated with the whole body prostrate on the ground, were accepted instead of one day's fast. A fast of twelve days was compensated by causing one mass to be said,—of four months, by ten masses,—of a whole year, by thirty masses. A penance and fast of seven years could be despatched in one year, provided that the penitent repeated the whole Psalter once in every twenty-four hours. Sometimes the compensation consisted in repairing to a certain church on appointed days,—in a pilgrimage to some sacred spot,—or in placing a trifling offering on some privileged altar.

During this period the popes were invited, even by bishops themselves, to grant absolution at their discretion in certain cases referred to them; but this was still recognised as the privilege of every bishop within the limits of his own diocese, with whose permission or at whose instance alone it could be regularly granted even by the pontiff himself. There was as yet no idea of reserved cases, in which the popes alone could grant absolution. They however sometimes claimed the right of granting absolution in concurrence with the bishop of the diocese; that is, they claimed to have the same right of granting absolution in any and every diocese as that which each bishop possessed with reference to his own single diocese,—a claim against which the bishops protested, and which met with vehement opposition.\* This state of things, however, could not fail to pave the way for that papal usurpation on this head which actually took place in the course of the following period.

\* Baronius, ad an. 970, n. 11; Conc. Salegunstadt (Seligenstadt), A. D. 1022, c. 18; Conc. Limogens.

Great corruptions had begun to prevail in the monasteries before the close of the last period; and these reached a fearful height during the latter part of the ninth century and the beginning of the tenth. The evil was so enormous that it had become a source of scandal almost intolerable even in that coarse and demoralised age. And this result was promoted by the seizure of large monasteries by powerful laymen, who received the revenues and nominally presided over the societies, but in reality took no care of discipline, and by their example aided the general dissoluteness of manners. All discipline, in fact, was gone; and the monasteries, perhaps without exception, had become hotbeds of vice and profligacy. At length, some individual monks, endued with the original spirit of their order, resolved upon separating themselves from the general mass of corruption, and forming a new society which should be a model of propriety. At the head of these was Bruno, who, with his friends, established a monastery at Clugny, under the especial patronage of William, duke of Aquitaine. This monastery, established upon the rule of Benedict, with some variations, soon became the resort of considerable numbers of well-disposed monks; it grew rapidly in wealth and reputation, and became in a short time the centre of a work of reformation which spread widely, and at length effected a change for the better in the general tone and character of the monastic institutions throughout Europe. Among the consequences of this movement, there speedily appeared an increase of public opinion in favour of the monastic life, and of patronage bestowed on monastic institutions, both in the dedication of wealth to their support, and in the devotion of children,

by their parents, to the conventual life. Lay impropiators of abbeys surrendered their plunder, and retained only their lawful rights, when any such existed. And the association of many monasteries with Clugny, occasioned by its well-deserved reputation, led to a new system of affiliation, whereby large numbers of monasteries were congregated around some one of greater note, more or less subordinate to its superior.

After this great reformation, and during the flourishing period of monastic institutions which followed, the relations which they sustained towards the civil and ecclesiastical powers were nearly the same as before. The sovereign frequently nominated the abbots of the larger and more wealthy societies, which may be said to have been in his gift. The bishops, who had seized possession of many monasteries during the period of their corruption and degradation, followed the example of the lay impropiators in surrendering this property to its lawful and proper use, and were found among the most zealous promoters of the reformation after it had begun to make some progress. They also made an effort to obtain from the monasteries absolute submission and obedience to their authority as diocesans; but this was in many cases successfully resisted, and, generally speaking, they were obliged to yield to the claims of exemption and independence, and to rest content with the vague and insignificant promise of canonical obedience in all things lawful. At the same time, the monasteries often sought protection by placing themselves under the immediate authority of the popes, in such manner and under such circumstances as to indicate the approach of a period in which a new claim of papal

right would be set up with reference to all persons and institutions of the monastic order.

The cathedral chapters had now attained an importance and power by which the influence of the bishops was greatly restricted: and although the institution of the canonical life among the clergy degenerated from its original simplicity, still it continued to exercise this restraining influence upon episcopal power. At first, the chapters acted as a kind of standing council of the bishop, and were associated with him, to a certain extent, in the administration of diocesan affairs. Soon, however, the restraints and burdens of the common life, of strict supervision, and of regular employment, became irksome to many of those upon whom they were imposed; and a disposition to cast aside these restraints and fetters generally prevailed. The chapters attained their independence, and so departed from the original designs of their institution, by the following steps.—As early as the end of the ninth century, misunderstandings arose between the bishops and chapters respecting the administration of the common property, the canons complaining that the bishops were not sufficiently liberal in their dealings with them; and this led to an arrangement whereby the administration of that portion of property which was professedly assigned to the chapters was given into their own hands. No sooner had the chapters thus become independent of the bishops as to their means of support, than they proceeded to withdraw from the restraint of a common habitation, and by degrees succeeded in obtaining liberty to reside in separate houses. After this, they ceased to partake of their

meals at the common table; and they effected a division of the whole property of the chapter into separate portions, often of very unequal magnitude, one of which was assigned to each canon. Nothing of the original institution now remained but the corporate character, or collegiate union, of the superior or cathedral clergy of each diocese. And the canons became completely independent of the bishops, when they obtained power to fill up vacancies in the chapter, which had formerly been an episcopal privilege. At the same time, they began to neglect the duties of their office and to perform their services by deputies; and eventually they lapsed into great indolence. Thus, before the end of the eleventh century, the cathedral chapters had become quite different from the institutions designed by the rule of Chrodegang and Louis I.

Among other changes which befel the diocesan constitution during this period we must reckon as one of the principal the increased influence and power of Archdeacons. The bishops having committed too much of the business of the dioceses to these officers, they acquired an influence and importance which became formidable to the bishops themselves. They claimed to act, not as the delegates or vicars of the bishops, but by virtue of their own authority; and the right of visiting the churches of their districts was directly entrusted to them by some councils of this age, so that they could exercise it without commission or authority from the bishop. In some provinces, they were authorised to nominate to vacant bishoprics; and it was universally admitted that all the other clergy of the diocese were sub-

ordinate to them. So eagerly was the place of archdeacon sought, that several councils found themselves compelled to enact that no one should be eligible to this office who had not been actually ordained deacon.\* Besides this, the archdeacons were usually members of the cathedral chapters; and the chapters often looked to them for assistance and support in their contests with the bishops. They also acted as guardians of the parochial churches against the invasion and spoliation of the bishops; and they were perhaps mainly instrumental in procuring the powerful intervention of popes in favour of parishes.†

Less efficient was the influence of archdeacons against the violence of patrons, especially powerful lay patrons, who often forced their nominees upon a parish, and set at nought the consideration that while the right of presentation belonged to them, the right of collation was vested in the bishop, and that he ought not to be compelled to collate a candidate who in his judgment was unworthy or unfit. Lay patrons often sold their patronage; but so also did the bishops.‡ In some cases, the lay patrons even claimed a portion of the offerings laid upon the altar of the church.§

The metropolitans, as we have seen, lost to a very great extent their power over the diocesan bishops of their provinces, and became little more than their titular superiors. This was brought about at the

\* Council of Bruges, A.D. 1031, can. 4. Conf. Thomassini, P. 1. L. II. c. 18.

† Eugen. II. A.D. 826: Conc. Roman. can. 16; and John IX. A.D. 904; Conc. Ravennens. can. 10.

‡ John VIII. Ep. 93, 95.

§ Conc. Valentin. can. 9.

instance of the bishops; their desire on this head having perhaps arisen from the abuse of authority on the part of some metropolitans who may have unjustly interfered in diocesan affairs.\* Hence the bishops welcomed the principles of the false Decretals, that it belonged to the pope alone to take cognisance of affairs in which bishops were concerned.

It was now that the popes began to exercise and claim, without opposition, an universal constitutive power, that is to say, the right of giving their approbation and sanction to every new ecclesiastical foundation, especially of bishoprics. Formerly they had been consulted on such matters, *e. g.*, by Charlemagne, as being able to give good advice; now they began to insist upon the right of giving it. Now also they began to exercise, and afterwards to claim, the right of an universal episcopate; the old idea that the pope was universal bishop, as standing in the same relation to the whole Church as that which each bishop sustained to his own diocese, being exchanged for the very different one that the pope can exercise the same functions in every diocese as each particular bishop exercises in his single diocese, and that hence he had a right to grant absolutions, &c. in every part of Christendom. These claims were not so much formally announced, and distinctly defined, as acted upon. According to a very usual course of proceeding in the papacy, the practice was first established, leaving the theory and the claims connected with it to come after. Such acts of aggression were at the same time favourably entertained by the bishops, in

\* Conc. Valentin., A.D. 855, can. 19; Muratori, *Annal.* tom. 5, p. 58

order to secure their independence of the metropolitans, and by the metropolitans themselves, for the sake of the pall, which involved their very dignity and revenues,—the right of conferring the pall being now supposed to belong only to the pope, and regarded also as including an actual conveyance of the right and title to office.



## CHAPTER V.

FROM THE ERA OF GREGORY VII. TO BONIFACE VIII.

It was a good and great scheme which the emperor Henry III. proposed to accomplish by his expedition into Italy in 1046. His design was not merely to establish the imperial power and the ascendancy of Germany in Italy, but by this means to restore order in State and Church. With regard to the Church in particular, he had a still further object in view ; besides putting an end to the confusions which had arisen during the scandalous conflict of the rival popes, he hoped to carry such measures as would introduce a permanent and universal reformation in the administration of ecclesiastical affairs. He was convinced, as well he might be, that such a reformation could not be effected without the co-operation of the pope ; and hence it was his immediate aim to obtain a decisive influence in future papal elections, in order that he might always find the chair occupied by a pontiff disposed to second and carry out his plans of reform. He felt that he could place more dependence on German ecclesiastics than on any other ; and he succeeded in carrying the election of four German

pontiffs successively, who were all animated by the same zeal for reformation, and whose efforts in this direction contributed so greatly to the advancement of the credit and influence of the holy see that from this period we must date a new epoch in its history.

The emperor traced the corruptions of the Church to two main evils,—the prevailing practice of disposing of ecclesiastical offices by sale, and the licentiousness of the clergy, whose depraved habits had reached the most shameless excess, and had impaired their influence even with the lowest classes of the people. The latter of these two evils was indeed, in great measure, a consequence of the former, the most depraved of the competitors for a benefice being often the highest bidder. Against these two enormous evils the popes who were now elected in the interest of the emperor directed their whole energies, not without marked success. They were not content with reviving the memory of old laws against simony and the excesses of the clergy, nor even with making these laws more stringent by the addition of fresh penal sanctions. Nor were they disposed to rest satisfied with taking precautions against future evasions of those laws; but they directed unsparing efforts towards nothing less than their effectual observance. All persons holding ecclesiastical offices who had notoriously obtained their appointment by simoniacal practices, or who had occasioned scandal by immoral conduct, were to be ejected. In order, however, to carry out those plans, it was needful to go to work in a novel manner. The evil had spread so widely that it was not likely to be removed in the way of judicial decision by the regular and established

courts. It could not be expected that the bishops would enforce the existing laws against the inferior clergy, or that the metropolitans would so proceed against the bishops; for it was chiefly from these superior ecclesiastics that the evil had emanated. Nor was any assistance to be expected from provincial councils, which, in fact, represented the majority of the bishops. It was necessary that a higher authority should interpose; and what could this be, according to the views of that age, but the authority of the pope? If the intervention of this authority in such matters was without precedent, so also the manner in which it should interfere must be still more so.

Urged by their reforming zeal, the popes travelled from place to place in order to carry into execution those measures which, without this exercise of personal influence, would probably have failed. In this manner, Clement II., the first of the pontiffs appointed by the emperor's influence, carried forward the reformation in Germany. Immediately after his election in 1047, he summoned a council at Rome,\* in which he declared his intention of restoring order, and of beginning the work by the abolition of simony. He died, however, not long after the announcement of his design; and in like manner, his successor Damasus II. did not live to fulfil the expectations of his imperial patron. Leo IX., elected in 1049, succeeded, however, in carrying out the intentions of the emperor to a considerable extent. In a council which he held at Rome† immediately upon his succession to the pontificate, he caused a sentence of deposition to be pronounced against several Italian

\* Conc. Rom. A. D. 1047.

† Conc. Rom. A. D. 1049.

<sup>i</sup>A. D. 1048.  
Damasus II.  
<sup>A. D. 1049.</sup>  
Leo IX.

bishops who had lately purchased their appointments, and imposed forty days' penance and suspension upon all the clergy who had been ordained by them. Leo at first proposed that every ordination by a bishop convicted of simony should be declared null and void; but he was induced to moderate his demands upon a representation to the effect that in this case there would be many dioceses which would be left without a single ecclesiastic to perform the offices of religion. Immediately after the breaking up of this council, the pontiff proceeded to France and Germany, held a council at Rheims, by which four simoniacal bishops were deposed, and in an assembly at Mayence compelled the bishop of Spire to defend himself against a charge of adultery. On his return to Italy, he hastened to the lower part of the country, where he held a council at which two archbishops were deposed for recent simony. And thus he occupied nearly the whole period of his government with travels, repairing in person to every quarter in which he found that scandal had been given by simony or immoral conduct on the part of the bishops, in order to inflict due punishment upon the offenders.

There can be little doubt that, in all these measures, Leo acted according to the wishes of the emperor, and even upon a preconcerted plan. Perhaps that accession of real power to the papacy which was by this means largely realised could hardly have been anticipated; nor is it certain that the emperor aimed at this ultimate effect. And yet it is difficult to imagine how he could have failed to foresee the consequences which ensued. While the popes were persuaded to carry forward the work of reformation in the manner described, not only were

their pretensions to universal supremacy over the Church more distinctly and solemnly recognised, but they were actually employed in the exercise of a jurisdiction and a power to an extent greater than that which had been ascribed to them even by the Pseudo-Isidore himself. Henry I. of France, at the instance of some of his nobles and bishops, took notice of this stretch of power,\* and endeavoured to throw obstacles in the way of the assembling of the council at Rheims; but the remonstrance produced no effect, and its insufficiency is a proof of the great height which the papal influence and power had now attained. Long since had the pope been regarded as the superior of all bishops, by whom alone they could be judged; but it had not hitherto been thought that it belonged to him to inquire into the conduct and character of all, at his pleasure. Now, however, this assumed right was not only exercised, but formally claimed and recognised.†

Two circumstances, in particular, gave great facility to the popes in carrying out these plans of reformation, and in maintaining the pretensions which they assumed in their character of reformers.

The obvious benefits arising from this interference told at once very largely in their favour; while the dangers of the new power which they exercised were easily overlooked under a strong impression of the public advantages with which it was attended. The evils arising from the simoniacal practices and immoral lives of the clergy had long been great and crying; but while a redress of these grievances was earnestly desired, it had become almost hopeless,

\* Baron. *Annal.* ad an. 1049, n. 17.

† Council of Rheims, A. D. 1049.

and it was difficult to conjecture from what quarter such relief could proceed. At the same time, the bishops could hardly venture to protest against this new exercise of papal power, lest such protest should be regarded in each individual instance as a confession of guilt; and even Henry of France found it impossible to go far in supporting his bishops against what was so much in accordance with the wishes of an indignant nation.

Besides this, the popes prosecuted this new undertaking with great prudence and caution. They proceeded only against notorious offenders, and carefully abstained from anything like an appearance of injustice or partiality. And, moreover, while they were in reality putting forth a new act of power, they preserved an appearance of regularity and order by adhering to old and established forms of proceeding. The deposed bishops were not only men of scandalous lives and conduct, but they were formally deprived of their dignity at councils held, for example, at Rome or at Rheims. In some cases, also, the popes showed their discretion by a wise moderation, and by mitigation of punishment to self-accused and professedly penitent offenders;\* hereby probably preventing a formidable combination of bishops against them, while many individuals hoped to be themselves partakers of their clemency.

These vigorous but judicious measures could not fail to make an impression on the popular mind highly favourable to the papal interests. This popularity,—to a certain extent justly acquired,—was, in fact, of the utmost importance. The people, who saw

\* *E. g.* Bishop of Nevers at Council of Rheims, A. D. 1049; Baron. ad an. 1049.

their scandalous bishops humbly yield before the power of the pope, at once conceived a more exalted idea than ever of the extent and supposed rightfulness of that authority, and were more deeply impressed with a sense of benefit to be derived from a superior ecclesiastical ruler, whom they now hailed as their deliverer. The papacy, on this occasion as on others, appears as a kind of necessary evil; vice rampant in the Church led, under existing circumstances, and according to the ideas of the age, to the establishment or increase of one evil for the sake of counteracting another.

It is possible that the popes undertook this task of reformation without any immediate view to its ultimate advantage to themselves. The emperor first suggested it to Clement II.; and the pope who had thus far prosecuted the work with the greatest success, Leo IX., was one whom he had carefully selected for the purpose. The personal character of Leo IX. was also that of a pious and upright man, firm and resolute in his prosecution of right; not liable to the imputation of ambition or avarice: but, on the contrary, distinguished on some occasions by a spirit of generosity and self-sacrifice. On the whole, he seems to have laboured with a simple design for the restoration of discipline and the spiritual efficiency of ecclesiastical institutions; there is nothing to prove that he had ever any respect to the ulterior exaltation of the papacy. At the same time, not only were matters tending in this direction, but there was an invisible hand employed in purposely giving them this turn. Under permission of the Divine Head of the Church,—whose patient toleration of all the abominations of the papacy is one of the most mysterious

of His dispensations, but doubtless, like all others, right,—there was a man of far-reaching views who guided the movements of the weaker but well-meaning Leo, apparently without even disclosing to him the design which he assisted to promote; and who afterwards employed succeeding pontiffs as the more conscious instruments of his ambitious projects.

This was the celebrated Hildebrand, who came with Leo to Rome, and who, even as early as this pontificate, was the spring and soul of all the movements of the holy see,—already beginning to sustain the part which he afterwards acted more conspicuously as Gregory VII. Hildebrand was a native of Italy, and received his education at Rome. In early life he travelled to France, and became connected with the monastery of Clugny, in which he resided for the space of several years. After a visit of some duration to Rome, he returned to Clugny; and it was from this place that Leo, after his nomination at the Council of Worms, took him in his train to Rome, under circumstances which justify the remark that Leo was rather taken to Rome by Hildebrand than Hildebrand by Leo. Leo, having assumed the pontificate at Worms, did not hesitate to travel through France with the title and insignia of pope, until he came to Clugny, and formed an acquaintance with Hildebrand, who represented to him so strongly the degradation and impiety of receiving the pontifical dignity at the hands of a layman, even though that layman was the emperor, that Leo was induced to lay aside his pontifical ornaments, publicly declaring that he could not regard himself as pope until the free election of the Romans should have given validity to the emperor's nomina-



tion. He travelled thence, in the garb of a pilgrim, to Rome, where he was duly elected. It can hardly be doubted that the man who gave this advice to Leo, had already formed a deep-laid scheme for the aggrandisement of the papacy, at the expense of the imperial authority; and this supposition receives ample confirmation from the subsequent history of Hildebrand. Already had he become the guiding genius of Leo, with a strong claim to a share in his plans of government. Leo, on his part, was willing to concede to him whatever influence he desired; and Hildebrand, with all those talents which enable a man of genius to assume the post of command, combined a winning deportment by which he easily ingratiated himself into the esteem and confidence both of the pope himself and of the Roman people. Henceforward he took the lead at Rome: he it was who directed the zeal with which the reformation of the clergy now began to be prosecuted; and he it was who, after the death of Leo, in 1054, prevailed upon the Romans to accept a suitable pontiff, and that too a German, whom he himself selected for the office and brought to Rome. He had observed the readiness with which Henry lent his support to those popes who had been the subjects of his choice; and while he was well aware of the advantages to be derived from the continued cordial co-operation of the emperor, he rightly judged that the emperor would look with more favour upon the election of a German, than of an Italian, as Leo's successor. His choice wisely fell upon Gebhard, bishop of Eichstadt, a man of great wealth and influence, and a personal friend of the emperor, well qualified to assist in carrying out his plans. After some unwillingness on

A. D. 1055.  
Victor II.

the part both of Gebhard himself and of the emperor, Gebhard was induced to accompany the monk Hildebrand to Rome, where he was elected pope, under the title of Victor II. His pontificate, as to its spirit and acts, may be regarded as a continuation of the foregoing; with this exception, that, while the same object of ecclesiastical reformation was steadily pursued, the new pope sent legates into the different countries in which this work was being accomplished, instead of visiting the scenes of action in person,—a difference probably to be traced to the far-seeing policy and progressive plans of Hildebrand. Hildebrand was himself the first of the legates employed on this business, being sent to France in 1055, with full powers to inquire into and punish all offences against the ecclesiastical laws which had been committed since the holding of the last council in that country. In his capacity as legate, he held a council at Lyons, by which six bishops were deposed, on account of various crimes, without any show of opposition or remonstrance,—a sure sign that the spirit of the age had already become thoroughly imbued with that new idea of papal supremacy which was soon to be realised. Other councils were held in France on the subject of ecclesiastical discipline, at which Hildebrand presided as papal legate; and one of these was distinguished by a circumstance of remarkable significance. At the Council of Tours, ambassadors appeared from the emperor, Henry III., complaining of the conduct of Ferdinand, king of Castile and Leon, who had assumed the imperial title. In consequence of this representation, Victor, acting under the advice of Hildebrand, threatened Ferdinand with excommunication and an interdict if

he should persevere in usurping the title. The threat took effect, and Ferdinand complied with the mandate of the pope, who thus made it appear that he wielded a power greater than that which the emperor himself possessed with reference to his own rightful claims.\*

The death of the emperor, Henry III., in 1056, afforded Hildebrand an opportunity for further progress in the execution of his designs. It is probable that Stephen IX., who occupied the papal chair for the brief space of about a year after the death of Victor in 1057, was elected by the Romans without the intervention of Hildebrand; but it is clear that, during this pontificate, the great politician lost none of his influence. Not only did Stephen send him as his legate into Germany, but when, during his absence, he found his own end approaching, he strictly enjoined the Roman clergy and people to await Hildebrand's return, and to follow his advice respecting the choice of a successor. Hildebrand had now, perhaps, become an object of jealousy to the Roman clergy; and the injunctions of the dying pontiff were disobeyed. The vacant chair was filled by an Italian bishop, under the title of Benedict X.; who, however, was soon displaced by Hildebrand, with the assistance of a disaffected portion of the cardinals and clergy, and compelled to yield the dignity to Gerhard, bishop of Florence, nominated by the empress,—who was elected at a Council of Sienna, and ascended the papal chair under the title of Nicholas II.

A. D. 1057.  
Stephen IX.

(A. D. 1058.  
Benedict X.)

A. D. 1058.  
Nicholas II.

Hildebrand now found it necessary to hasten forward those measures by which the power already

\* Baron. ad an. 1056 *et seq.*

attained might be secured, and a way made for its still greater extension, in due time, under favourable circumstances. Two of these measures, especially, dictated by profound policy, were attended with important results. One was the alliance which Hildebrand caused the new pope to make with the Normans in 1059; the other, the new institution which he caused to be adopted, in the same year, with reference to future papal elections.

From 1017 the Normans had made attempts to settle in Italy; and Leo IX. had already found himself obliged to enter into some connection with them. Originally they came from France to Italy, upon the invitation of some of the Italian nobles, with a view to take the field against the Greeks and Saracens. Afterwards, however, they turned their arms against their former allies themselves; and, in 1053, Leo IX., in person, took the field against them. This campaign was unsuccessful; the pope was taken prisoner, and compelled to conclude a treaty by which the Normans were permitted to retain those possessions of the Church which they had already seized, as a fief of the Roman see. Disputes, however, continued, and we find that Stephen IX. even entertained the project of driving the Normans out of Italy. But, at length, these parties began to understand that terms of friendship were for the interests of both alike. In 1059, a personal interview took place between the pope (Nicholas II.) and Robert Guiscard, the leader of the Normans; when the latter was formally invested with Apulia and Calabria, as a fief of the Roman see, together with the title of duke, and also with Sicily, which was at that time in possession of the Saracens. By this arrangement, Guiscard recog-

nised the pope as his feudal chief, and undertook to pay a yearly tribute to the Roman see, and to defend it against all its enemies, upon the demand of the pope. The pontiff had thus gained a titular supremacy over the Normans; and, besides this, he had consolidated a power in Italy which he might advantageously employ as a check upon either the nobles and towns of Italy, or the forces of the empire, as occasion should require. In point of fact, the Normans were employed in this varied service, at intervals, during more than a century from this date; and there can be little doubt that the matter formed part of the plans and designs of Hildebrand. During the last two pontificates, the ecclesiastical power of the popes had been carried almost to its height; but still it was manifest that the continuance of this power depended upon the will of temporal princes, especially upon that of the emperor. As long as the latter was master of Italy, he could do almost what he pleased with the pope; and hence it had become evident that any measure which would tend to make the Roman see independent of the emperor would be of great value towards the stability and extension of its dominion.

Hildebrand aimed at the same point in the new regulations which Nicholas made, under his influence, concerning papal elections. Hitherto, so much of the primitive custom had been preserved that not only the whole body of the Roman clergy, but also the Roman nobility, and some portion of the people, took part in the election; and it not unfrequently occurred in these elections that the influence of the clergy was overborne by that of the other parties, when combined. At the same time, the emperor had

always retained the right of confirming the choice of the electors, and the election was ordinarily made in the presence of imperial commissioners. In some cases, also, the emperor had anticipated or suspended the functions of the electors by his sole nomination,—a practice which, of late years, had become prevalent, and was beginning to assume the appearance of an established and recognised right. But in many of these modern instances, it seemed, or could easily be made to appear, that the Romans had voluntarily conceded their right to the emperor for the occasion. Now, in all this, there was much that seemed to be derogatory to the dignity of the holy see, and likely to become a source of weakness, if not of overthrow and ruin. On the other hand, the share of the nobility and people in elections had already been a source of unseemly contests and divisions, having sometimes led to the election of rival pontiffs; and, whatever progress might at any time be made under the presidency of some able and successful pope, all these advantages were liable to be scattered to the winds, at some subsequent period, by the recurrence of such disorders arising from a disputed election. If, however, the influence of the emperor should entirely preponderate, the popes would be thenceforward no better than vassals of the empire; and as long as the papal election should be even subject to imperial confirmation, there would be that appearance of subordination to the temporal power, accompanied with more or less of real dependence, which could not but act as a barrier in the way of that universal dominion to which Hildebrand had begun to aspire.

It was, doubtless, with a view to obviate these ill

consequences, that Nicholas II. published a decree, which he had caused to be confirmed by a Roman council in 1059, to the effect that, in future, neither the nobility nor the people should take any part in the election of a pope, but that the right of election should belong properly to the clergy alone, who, however, should exercise this right not altogether in a mass, but only by means of their representatives. He thus constituted a college of electors, consisting of the chief and most influential of the Roman clergy, who, under the name of cardinals, had, for some time past, taken a leading part in the affairs of the Church. Hildebrand was this year made cardinal-archdeacon. At the same time, the ancient and acknowledged right of the emperor to confirm the election was not openly denied; but a clause was added, respecting reservation of the emperor's right, conceived in such terms as might afterwards give rise to a question whether the act of confirmation was not a personal privilege and mark of respect which the Church voluntarily conceded to individual emperors, upon their good behaviour, rather than a right inherent in the imperial crown. It was provided, in effect, that future emperors should exercise this right, if they should have previously sought and obtained it from the holy see. Of course, an emperor was hardly likely to sue for this privilege; and even should the custom of seeking it be established, occasions would not fail to arise in which popes might feel themselves able and willing to refuse it.

This bold innovation was made at a favourable moment, when, in fact, there was no emperor who could protest against it. And Nicholas took an oath

from his new vassals the Normans, whereby they pledged themselves that after his death they would recognise and defend as pope no other than the one who should be elected by the cardinals in accordance with the new regulations.

Upon the death of Nicholas, however, in 1061, it was for some time doubtful whether or not the new system would be suffered to take effect. A powerful section of the Roman nobility, under the guidance of the count of Tusculum, declared, immediately after the death of Nicholas, that they would rather receive a pope at the hands of the emperor than at the hands of the cardinals ; and despatched an embassy to Germany, entreating the empress to nominate a pope, and offering the imperial crown to young Henry in the name of the Roman people. From this it was easy for Hildebrand to discover how far the Romans might be carried under feelings of exasperation ; but still he did not proceed to adopt that extreme measure which he had determined to reserve for a case of the last necessity. He took great pains to win over individuals from this party, and even ventured to seek for the approbation of the empress to the election by cardinals. The empress, however, would not even give a hearing to the legates who were sent on this errand, and the Romans continued obstinate ; so that at length Hildebrand resolved on proceeding to extremities. On the first of October, the election of a pope by the cardinals was publicly undertaken, in spite of the popular protest ; the presence of Richard, prince of Capua, prevented all disorders in the city ; and Anselm, bishop of Lucca, was elected under the title of Alexander II.

A. D. 1061.  
Alexander  
II.

It was difficult, however, to maintain the step



which had been thus taken ; more difficult, perhaps, than Hildebrand at first imagined. The empress appeared determined to uphold the dignity of the imperial crown in Italy ; and, having wisely abstained from nominating a pope, she convened a council of German and Lombard bishops at Basle, and charged it with the task of giving a new head to the Church. The council unanimously elected as pontiff Cadalous, or Cadalus, bishop of Parma, under the title of Honorius II., a man who seemed unlikely to pursue the vigorous measures of discipline adopted by his predecessors, and under whose pontificate they therefore hoped to enjoy the immunities and indulgences which they desired ; whereas the pope elected under the influence of Hildebrand was likely to pursue the obnoxious course of reformation already so earnestly begun. The position of affairs was critical. By the assistance of the empress, the Lombard bishops assembled a considerable army, in the spring of 1062, with which they conducted their new pope to Rome ; while at the same time the popular party at Rome, and in the large towns of Italy, assumed a formidable aspect in its hostility to Hildebrand and his pope ; and the Normans, having the chief part of their forces actively engaged against the Saracens, could not render immediate assistance. At this juncture the plans of Hildebrand were apparently rescued from defeat by the occurrence of a most unexpected event,—by a revolution in Germany, so favourable to Hildebrand that it is difficult to suppose it not to have been brought about by his secret machinations. In the very midst of the preparations of the empress for an expedition into Italy, Hanno, archbishop of Cologne, stole away the youthful Henry from his mother, and

conveyed him to Cologne, where an assembly of the states deprived the empress of her right of guardianship and regency by an apparently formal and regular ordinance, and decreed that such right should belong to the bishop of the diocese in which the young emperor should be resident,—that was to say, for the present, to archbishop Hanno. The scheme was so well conceived, and so suddenly executed, that opposition on the part of the empress was hopeless. At the same diet, Hanno, as guardian of the emperor and regent, declared himself in favour of the pope Alexander; the Italian bishops were unable to support the pretensions of his rival without foreign aid, of which they had now no prospect; and, although Honorius was able to maintain himself in Lombardy, at the head of some adherents, during a course of several years, still, before the end of 1062, the victory was clearly decided in favour of Alexander,—and of Hildebrand.

“In 1070, a request was made by William the Conqueror to the pope, that he would send legates to attend a council which he purposed to assemble for the purpose of adjusting the affairs of the Church in England. Peter and John, cardinals, and Ermenfred, bishop of Sion, were sent to England accordingly. The council met at Winchester, and the king and legates jointly presided. The archbishop of Canterbury, Stigand, was accused of holding two sees, Winchester and Canterbury, at the same time, and of the crimes of perjury and murder. He was deposed. The historian of these events assures us, that Stigand had offended Alexander and several of his predecessors by not having procured a pall. Stigand had never joined the Gregorian party, and having been by that party several times excommunicated at Rome, his

offence was heightened by paying no regard to the sentence but exercising his episcopal functions as if no such sentence had been passed. The opportunity was now presented of sacrificing him to make room for Lanfranc, the friend of Hildebrand, and the opponent of Berengar. He was accused of simony, the crime which was so freely imputed to those ecclesiastics whom Hildebrand considered to be hostile to his plans for elevating the papacy. The act of simony laid to his charge was that of attempting to annex the see of Winchester to that of Canterbury. This charge, even if it had been true, was not only the same offence of which many of the Gregorian party were equally guilty, but, as the diocese of Canterbury was different from the metropolitical charge, the annexation of Winchester to form one episcopal see would not have made the diocese of the archbishop larger than many others. The resolution, however, had been taken to depose him; and he was not only deposed, but, to prevent the danger which might possibly arise from his influence with the Saxons if he were permitted to be at large, he was imprisoned in Winchester for life.\*

“In another council at Windsor more Saxon bishops were deposed, for no other crime than that they were Englishmen, as is affirmed by one of our modern historians.† I would rather say, they were deposed for belonging to the anti-Gregorian party, now beginning to be so influential in the Church.

“The inflexible disposition of Hildebrand appeared even in his treatment of Lanfranc. Desirous to be excused from a journey to Rome to obtain the pall,

\* See Pagi, ad an. 1070, § 1, *seq.*

† Lingard's Hist. of William I. p. 42, second edition.

Lanfranc wrote to Hildebrand, by whose counsel Alexander, as well as his four predecessors, was governed, begging him to exert his influence to prevent the necessity of his appearing at Rome in person. Hildebrand, in reply, insisted on his undertaking the journey. He intimated that other measures might be considered as well as the matter of the pall. Lanfranc consequently set out with Thomas, archbishop of York, and Remigius, bishop of Lincoln. They were all received with marked attention by the pope. The two companions of Lanfranc are said (but the story is improbable) to have been deposed by his holiness; who is reported to have given their crosiers and rings to Lanfranc, with the power to return them if he pleased, and that he immediately restored them. While at Rome, Lanfranc obtained a special bull from Alexander, by which possession of the cathedrals of England was confirmed to the monks. During this visit to the apostolic see, the dispute between Canterbury and York concerning the primacy was ordered by his holiness to be determined by a council of the English bishops; and a council was accordingly held in the following year, the whole of the bishops, abbots, and many of the clergy of the kingdom being present, upon which occasion the primacy was adjudged to the see of Canterbury. Alexander, on the return of the bishops to England, wrote to the king, whom, after praising for his piety and zeal, he advised to consult Lanfranc, and abide by his counsels; as he had invested him with power to give decisions as binding as though himself were present in person. He wrote also to the monks of Winchester at the same time; and, as this epistle may be looked upon as a general specimen of the authority

assumed by Rome over the monasteries of England after the conquest, it may be considered an evidence of the extent of the subjugation of this island to the dominion of Hildebrand, resulting from the Norman conquest.\*

The time had now arrived when Hildebrand, by whose influence so many popes had been already made, determined to ascend the papal chair himself. Under Alexander he had assumed the dignity of Chancellor of the Roman Church; and he had attached to his interest so many persons of all parties among the clergy, the nobility, and the people, that he was publicly designated as the successor of Alexander several years before the death of that pontiff, which took place in 1073. On that occasion he could even request the cardinals to defer their formal election for a while, in order to prepare themselves for the work by a three days' fast; well knowing that during that period he would be nominated pope by the acclamation of the people as well as by the resolution of the cardinals. Under these circumstances there was no difficulty as to the carrying out of the new regulation concerning papal elections; and Hildebrand was able to make it appear that he accepted the pontificate against his own will.

It cannot be imagined that Hildebrand, now become Gregory VII., had been all along impelled by the low motive of merely selfish ambition. It is impossible not to perceive not only that he was a man of most exalted genius, but that he was influenced in his plans by regard chiefly to the great end of promoting the interests of religion and the good of mankind, according to the honest, but in many respects erro-

A. D. 1073.  
Gregory  
VII.

\* Townsend, Eccl. and Civil History, book iii. chap. 4.

neous, views and convictions of his own mind. He may even have considered himself to have been called by God to the accomplishment of a great work. At the same time his zeal was by no means blind, but was regulated by the dictates of a cautious and far-seeing policy.

Hildebrand had reason to apprehend great opposition to his election from the young emperor. It was reasonable to expect that Henry would feel himself aggrieved, and would be personally hostile to him as having been the well-known author of indignities offered to the imperial crown since the death of his father; and it is not unlikely that the German bishops, with whom Hildebrand as a zealous reformer was extensively unpopular, would fan the flame of his indignation. Henry, in fact, was not only willing, but was now also able, to avenge the insult which had again been offered to the imperial crown by the election of Hildebrand; and a storm was impending which might well have occasioned the utmost alarm to a pontiff of ordinary mental resources. Gregory was not afraid of the threatened conflict; but he considered it better, if possible, to avoid it. He was prepared for extreme measures in opposition to the emperor, and his attitude in this respect was well known; but yet he contrived to escape the contest, and to obtain from the emperor a formal confirmation of his election, without any concessions derogatory to his dignity or humiliating to his pride.

Immediately after his election Gregory wrote to the emperor, saying that he had been compelled precipitately to assume the pontificate, which had been forced upon him by the Roman people, but that he had found means to defer his actual consecration to

the office, in the hope that, by the aid of the emperor, he would be delivered from the necessity of undertaking the great responsibility and burden thus imposed on him. He therefore earnestly entreated the emperor not to confirm his election, and this, not only for his own sake, but also for the sake of the emperor himself; for he was bound to tell him that as pope he must infallibly assume a hostile relation to him, since it was impossible that he could leave his vices and excesses unpunished. The emperor hereupon contented himself with sending one of his counsellors to Rome with a commission to inquire into the circumstances of this unusually unanimous election, and to ascertain whether or not it had been attended with any irregularity, especially whether or not any simoniacal practices had taken place; and when the report of the commissioner had been received, and thus a show of satisfaction to the imperial dignity made, the emperor confirmed the election, and commanded his chancellor in Italy, the bishop of Vercelli, to attend the consecration of the new pontiff. The consecration took place June 29, 1073.

This stroke of policy was not only well adapted to produce its immediate end, but was also in accordance with Gregory's whole plan of operation. The whole plan, or at least the ultimate design of this plan, according to which Gregory acted during his pontificate, and which he had probably pursued through his life, may be briefly stated thus. The highest end of his efforts and schemes was not merely to secure to the Roman see the supreme power in and over the Church, but it was to make the Church itself independent of all other power, especially of the power of the State, and to deprive kings and princes,

or the civil authorities, of that influence which they had hitherto claimed and exercised in so many ways with regard to ecclesiastical affairs. The supremacy of the Church of Rome over all other Churches he may well have considered as already established; in order to maintain it, the popes had only to adhere to the principles and to follow the example of many predecessors; they had only to retain an authority which, by repeated aggressions on the part of Rome, and concessions on the part of other Churches, had been already acquired. The problem remained to make the Church itself supreme. Considering the ravages which had often been committed upon the Church by princes and nobles, and the many ecclesiastical corruptions and abuses which could be traced to the subordinate connection of the Church with the State, it may well have seemed to such a man as Gregory\* a worthy task, acceptable to God and beneficial to mankind, to establish the independence of the Church;—and even (if possible) its supremacy, so as exactly to reverse the former order of things, making the State dependent on the Church, instead of the Church on the State. In short, his design was to set up a new theocracy, in which the Church should rule over the State, while the head of the Church should be recognised as the representative of Deity, and as the lord of all earthly kings and princes. He often acted as if this theocracy were already established, or at least as if the principle of it could not be contested: in many of his public declarations its existence is clearly assumed;† and hence it is plain

\* See an Epistle of Gregory to Hugo, abbot of Clugny, lib. ii. Ep. 49.

† Thus he affirmed that even the first four General Councils



that we must ascribe this high and extensive design to his plans and efforts.

It may, indeed, be asked, did not Gregory, with all his zeal and enthusiasm, possess sufficient prudence and knowledge of mankind to be aware that this magnificent design was in reality impracticable? But if he could not have cherished his design with any sober expectation of success, still we can easily understand what may have induced him so strongly to bend his efforts in this direction, and to profess no lower aim. It could not have escaped his observation that, in the actual course of events, it is impossible that the spiritual and civil powers can ever be entirely separated and kept asunder, and that they cannot but act and re-act upon each other. He must have foreseen that from time to time one of these powers would be seeking to obtain preponderance over the other; and hence he may have thought it wise to take the opportunity which at that time existed of throwing as much weight as possible into the scale of spiritual power, in order to prevent its extreme depression at some future period. It is, therefore, possible that *the independence of the Church* may have been the ultimate end of his sober expectations; and perhaps he aimed, or appeared to aim, at something more, in order at all events to secure thus much.

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were of force only as being sanctioned by pontifical authority, Conc. Rom. A.D. 1074;—"a doctrine," as Mr. Hussey observes, "different from that of the Fourth General Council of Chalcedon, A.D. 451; in which the letter of Pope Leo was read, and then examined to see whether it was orthodox, according to the Nicene faith; and each member of the Council was asked to give his opinion on this question, before the letter was received."—*Rise of the Papal Power*, sect. iii. part 2.

Gregory wisely chose to avoid, if possible, a dispute with the emperor concerning his own election, in which it would be evident that his personal interests were involved; and he resolved even to suffer the emperor once more to exercise his right of confirmation, in order to reserve himself for another dispute with him on higher grounds, and at a more favourable juncture; thus prudently choosing his subject, and abiding his time, of conflict. This was the great contest concerning the right of Investiture, which he set on foot between the Church and the State, between the spiritual and the civil powers.

In the first year of his pontificate Gregory announced his intention of zealously prosecuting the reformation which had been begun by his predecessors; and declared also that he was determined to attack the monster evil of simony in a quarter hitherto unapproached. Former proceedings had been directed almost exclusively against the purchasers of ecclesiastical offices, against those bishops or clergy who had obtained their appointments by corrupt practices; a matter of no small importance, since the abuse must entirely cease if no purchasers could be found. But the new pontiff declared that he would not be satisfied with this line of proceeding alone; he promised to direct the efforts of his zeal against the sellers as well as the buyers;\* and he denounced the emperor and the king of France as among the principal offenders in this matter. These princes had, in fact, for a long time past, permitted or connived at the most scandalous practices in the Churches of their realms. The young and dissolute Henry, surrounded by counsellors of like mind with

\* Epp. lib. i. 9, 11; lib. i. 35.

himself, or by those who were craftily seeking their own interests, during the early years of his independent government, had so arbitrarily disposed of bishoprics and other high ecclesiastical offices in Germany that nothing less than an open and regular trade in this property had been organised and conducted at his court. No doubt, Henry often made presents of these offices, as well as sales; but this was as bad for the churches or monasteries, or even worse; for in that case the gift was made to some of his dissipated courtiers, or to their equally abandoned favourites and nominees. Philip I., king of France, conducted the matter a little more decently, but not really much better: he had a closer eye upon his own interests than Henry; and it was, perhaps, more rare in France than in Germany for an important ecclesiastical office to be disposed of without regular negotiation as to the payment of a due equivalent.

The continuance of these practices after the recent measures of several successive pontiffs against simony not only cast discredit upon the Roman see, and impaired its influence, but also evidently tended to annul the attempts at reformation, and to render impossible the infliction of penalties denounced against simoniacal clergy. Gregory had therefore ample grounds for his denunciation of the emperor and the king of France. And these denunciations were received with the most humble and submissive acknowledgments. The language employed by Henry was even abject; \* he confessed that he had been a great offender, and promised to repair the evil to the utmost of his power. The king of France pleaded

\* See the answer of Henry (if genuine) in Greg. Ep. lib. i. between Ep. 29 and 30

excuses in extenuation of his fault, and endeavoured to allay the indignation of the pope, making it manifest that he had no intention of setting the Church at defiance, or of failing in due respect to her laws.\*

This was more than Gregory could have expected. He had thus gained a signal advantage over two great sovereigns ; and of this he was prepared to make ample use on occasion of the first offence which they should afterwards commit. But he did not think it necessary to wait for this. Encouraged by the success of his first assault upon these princes, and by their manifestations of weakness, he proceeded immediately to deal the decisive blow which he had meditated.

He now astonished the world by the publication of his celebrated Decree, by which all clergy were forbidden, under penalty of deprivation, to receive Investiture of a bishopric, abbey, or any ecclesiastical office, at the hands of a layman ; while all laymen, without exception, were forbidden to grant investiture to a spiritual person, under penalty of excommunication. This decree Gregory sent into all kingdoms, especially into Germany, France, England, and Spain, accompanied with a charge to all bishops to look to its execution ; resting the propriety of the decree upon the general ground of the good of the Church, and the necessity of prohibiting lay investitures in order to put an end to the practice of simony.

Upon this right of investiture depended the whole power of a prince over the bishops and clergy of his realm. Investiture was the universally recognised sign of feudal sovereignty on the one side and allegiance on the other ; and to deprive the civil rulers of the right of investiture was, in effect, to declare

\* Greg. lib. i. Ep. 75.

that they should no longer possess any power or authority over their clergy. It was not against the existing form and manner of investiture that Gregory contended, but against the practice and principle of investiture itself. The aim of this decree was to dissolve all feudal connection between laity and clergy; and when this was distinctly perceived, no doubt could be entertained as to the nature of Gregory's ultimate intentions. Here was developed, in effect, the whole of his great design to make the Church independent of the State, and to deprive the State, as far as possible, of all influence, direct or indirect, in its affairs. And during the contest of half a century which ensued, it became evident that each of the contending parties knew very well how to estimate the real subject of dispute.

The way in which Gregory began this conflict is one of the many instances of his surprising sagacity and skill. It is not to be supposed that he expected the sovereigns of Europe at once tamely to surrender their right of investiture, or to suffer it to be wrested from their hands by his threat of excommunication. Even if he did not give them credit for being aware of the full value of that of which he sought to deprive them, he could not but be assured that they would endeavour to retain it with a firm grasp, if only for some of the minor and collateral advantages with which the right of investiture was attended. He must, however, have been aware that at least Philip of France and William of England knew how to estimate aright their real interests, and that they were neither unwilling nor unable to defend them. He could not but have contemplated strong opposition in these quarters; and he resolved to push his own

efforts in that direction only to a certain point in the way of direct hostility.

The right of investiture undoubtedly belonged to temporal princes, and it had been recognised by popes themselves times without number. There was danger lest in attacking this indubitable right the pope would arouse the spirit and feelings of the age against him ; and in that case his most formidable weapon,—the threatened excommunication,—would become powerless ; for it was well known, by princes no less than by popes, that this weapon derived all its force from the state of public opinion. If the princes should now persist in their exercise of the right of investiture, and should be herein supported by their people, then not only would the present design miscarry, but the whole credit of the papacy would be placed in danger.

Upon the first publication of the decree the sovereigns took no notice of it, but simply proceeded with investitures as before. Doubtless, they hereby intended to manifest their contempt of the measures adopted against them, or, at all events, their sense of the imperturbable security of their prerogative ; and this coldness, whether more or less real, would probably have been more embarrassing than the most violent opposition on their part, to a pontiff not well prepared for every emergency.

Gregory must also have anticipated a violent opposition on the part of the bishops and clergy, partly from motives of interest, and partly from motives of a higher order ; and what could he do if opposed in his schemes by any large portion of the ecclesiastical body ?

His measures, steadily prosecuted during a period

of eight years, were all adapted to obviate these threatening difficulties.

(1.) He determined immediately to make open war with the chief of these temporal princes, the emperor; and that, not on the ground of the right of investiture, but yet so that at length the emperor should be compelled to purchase peace by the surrender of that right. He may have had other reasons for choosing the emperor at once as his special enemy; but doubtless he acted under a persuasion that other sovereigns would the more readily concede the question of investitures when the emperor had already led the way.

(2.) The ill-will and opposition of the bishops and clergy he parried by a stroke as bold as it was unexpected. He made war upon the clergy themselves, by placing in jeopardy some of their most immediate interests; thus withdrawing their attention to a great degree from the investiture controversy, or, at all events, hindering them from taking an active part in it. This he accomplished by his new measures for enforcing the laws relating to clerogamy,—measures so taken as to render evasion and defiance alike impossible. During the last twenty years, in the course of the reformation which had been carried on, many attempts had been made to do away the scandal occasioned by the immoral lives of the clergy, and especially by the practice of concubinage which so notoriously prevailed. Old laws were revived and new ones made; but they had been rendered ineffectual, sometimes by the strenuous opposition of the clergy against whom they were directed. Gregory, therefore, was resolved to devise some still more stringent measures. At his first Roman council, in 1074, he

caused a decree to be confirmed, which pronounced excommunication not only against all married priests themselves, but against all lay persons who should receive or attend their ministrations, whether as confessors, in the celebration of mass, or in any other way. This decree was in direct contradiction of a canon of an old Council of Gangra, in the fourth century, incorporated in all collections of canon law, by which all persons were threatened with excommunication who should declare a married priest disqualified for the performance of divine offices.\* When this decree had been published throughout Europe, with a charge to the bishops to take care of its fulfilment, it occasioned, as might have been expected, a great commotion among the clergy; and vehement opposition was in some cases offered to those bishops who endeavoured to enforce it. In some cases the clergy were supported in their resistance by the bishops themselves; and a council at Paris, A.D. 1074, even declared it heretical to forbid marriage to the clergy.

Gregory was unmoved by this violence. He well knew that the foundations of the papacy lay deeply in public opinion; and he was satisfied with taking care that his decree should be made known as extensively as possible among the people,—an object which he accomplished by his legates and by monkish emissaries, whom he employed in this business. By this means his end was effectually obtained. Everywhere the people undertook to put in force the laws against those of the clergy who refused to part with their wives; by ill-treatment they drove hundreds of

\* But the decree of Gregory was so cautiously worded that Pagi finds it not very difficult to evade this charge of contradiction; Crit. in Baron. iv. p. 253.



them to despair, and gave the rest to understand that they would be compelled to yield. It occupied, however, more than half a century to complete this work.

As a monk, Gregory had no doubt become thoroughly impressed with an idea of the superior sanctity of celibacy; but it can hardly be supposed that his monastic zeal alone sufficed to stimulate him to all his harsh and extreme proceedings against the marriage of the clergy. While he was maturing his project of making the Church independent of the State, it could not escape his observation that clerical celibacy was a powerful means of promoting this independence, and even that it was essential to its attainment. Nor did Gregory conceal his views in this matter; he said again and again that his object was to rescue the clergy from their bondage to the laity; and he was persuaded that the severities which he exercised towards some members of that body were adapted to benefit the whole.

But while the chief end of this movement harmonised with the pontiff's whole plan of operation, it is clear that it served additionally as a diversion in his favour, in its bearing on his contest with temporal princes concerning investitures. Many of the clergy were now content to attend to their own interests, without involving themselves in that controversy at all; and if others were disposed to espouse the cause of the civil rulers,—even the more so as being exasperated on account of the treatment they had themselves received,—yet their existing unpopularity deprived them of their ordinary influence, and rendered their opposition harmless.

Gregory, as we have seen, lost no time in commencing a war with the emperor, which was the

chief event of his pontificate. Henry, during the first years of his independent government, misled by youthful passions and the influence of corrupt favourites, had repeatedly set at nought all laws, human and divine, and had acquired so much odium in Germany, that a powerful party in that country would be likely to combine against him, in case of any hostilities from without; and especially it might have been assumed that the Saxon nobles, who had lately risen against him, and had been harshly treated after their defeat, would be ready to take part with the pope as his enemy. It was the knowledge of this fact which probably induced Gregory to select the emperor as his immediate object of attack.

At the ordinary Easter council, in the year 1075, Gregory pronounced sentence of suspension against several German bishops, who had purchased their preferment from the emperor, accompanied by a sentence of excommunication against five of the imperial counsellors, who were said to have commonly taken part in such simoniacal proceedings. He doubtless foresaw that the emperor would take up the quarrel of his bishops and counsellors; and he perceived also that he would thus put himself in the wrong, according to the general sense of Europe, and so present a plausible pretext for hostilities. No sooner had Gregory learnt that the emperor continued to retain the excommunicated counsellors at his court, and that he manifested an intention of supporting the deposed bishops against the papal see, than he published a new decree, in the year 1076, summoning the emperor to appear in person at Rome, there to answer various charges which had been made against him. This proceeding, bold as it was, can hardly be declared

irregular, since, by holding intercourse with excommunicated persons, the emperor had involved himself in this sentence according to the old and established laws of the Church. So that, formally, by giving the emperor an opportunity of defending himself or explaining his conduct, Gregory treated him with some degree of leniency. Henry, however, indignant at the decree, and disposed to adopt measures the very opposite of conciliatory, immediately assembled a council at Worms, by which a sentence of deposition was pronounced against the pope. This proceeding was, in many respects, irregular and illegal. Some have supposed that Henry was induced to adopt it by representations which he had received of the great unpopularity of Gregory in Italy, and the supposed readiness of many Italian bishops to concur in such a movement against him. He ought, however, to have known how difficult it would be, even if these reports were true, to sustain, on the whole, his informal and ill-advised measure.

Gregory now pronounced sentence of excommunication against all the bishops who had attended the council at Worms, or had given their adherence to its proceedings. Against the emperor he pronounced a sentence not only of excommunication, but of deposition, while he released all his subjects and vassals from their oath of allegiance; and he published this act of excommunication and deposition to the whole world.

The pontiff may, perhaps, have considered himself supported in these proceedings by the established principles of canon law; and he may have designed them as an experiment with a view to ascertain how far the age was prepared for his intended theocracy:

but, be this as it may, his dethronement of the emperor may be regarded as an act of policy, inasmuch as, on the one hand, he could not hope to humble him effectually without the aid of the adverse party in Germany, and, on the other, he could not expect to receive their hearty support without the prospect of some adequate reward,—a prospect which the vacant throne laid open to them. The correctness of the pontiff's calculations became manifest in a very short time, to the astonishment and loss of the less wary emperor. As early as the summer of the same year, 1076, he saw the whole of Upper Germany in a state of revolt, under the lead of the duke of Bavaria and other nobles, while in Lower Germany the Saxons renewed hostilities against him. The adverse princes declared that they felt themselves bound to obey the sentence of the Church and the pope, and announced a resolution to proceed to the election of a new emperor; when Henry hastily and unadvisedly surrendered himself into their hands, to be dealt with at their discretion. The terms already dictated by Gregory, which they imposed, were that he should suffer the pope to come into Germany, recognise him as his sole and absolute judge, disband his troops, dismiss the excommunicated counsellors, consider himself suspended from the administration of the government, reside in Spire as a private person, and give his sanction to the sentence of deposition and to the election of a new emperor in case of his not receiving absolution within the space of one year.

It was not the design of Gregory completely to overthrow Henry, but only to reduce him to such a condition that he would consider no sacrifice too great

for the purchase of peace and reconciliation with the papal see. This object he had now completely gained. Stunned by the blow which had thus unexpectedly fallen upon him, Henry conceived the idea of hastening into Italy and obtaining, without delay, by earnest and humble entreaty, that absolution upon which his crown depended. His design was, probably, to lose no time in this important matter; and he preferred Italy to Germany as the scene of his humiliation. Accordingly, he set out on his journey, almost unattended, together with the empress, in the midst of a severe winter, — under circumstances which could not only excite no apprehension in the mind of the pope, but might be supposed likely even to move him to compassion.\* On his arrival in Italy, Henry humbly requested an interview with Gregory, who was then at Canossa, on his way to Germany. This interview was granted; the result of which was, that the pope insisted on the emperor's doing penance before he should receive absolution, and kept him waiting for this absolution in the garb of a penitent during a space of three days in the open air. The pope then granted absolution, but did not revoke the sentence of deposition: he only promised that he would immediately come into Germany, and give audience to the complaints of the estates on the spot; after which he would decide upon the subjects in dispute. At the same time he took an oath from Henry, by which he bound himself to throw no obstacles in the way of the projected journey to Germany, and to submit unreservedly to the pope's decision, whatever it might be. Indeed, even absolution was granted only on the express condition that the excommunication should return

\* Greg. Epp. lib. iv. Ep. 12.

in full force in case of the emperor's failing to fulfil any part of this severe engagement.\*

The pope, now really intent upon the re-establishment of Henry, whom he regarded as sufficiently humbled, acted without reference to the wishes of those German princes who had combined against him, and who desired his complete overthrow in order that the throne might fall a prize to one of themselves. He did not therefore insist upon the surrender of the right of investiture, thinking it better for his own interests, and those of the emperor, that the settlement of this question should be delayed a little longer.

From the moment in which Henry left Canossa, the affair between him and the pope had taken a new turn, which entirely embarrassed the calculations of Gregory, disappointed his expectations, and rendered him more than ever uncertain,—uncertain even at the period of his death,—whether the execution of his chief and ultimate plan would ever be practicable. This turn of affairs was immediately occasioned by the measures adopted for the complete restoration of Henry. It occasioned the continuance of war with the emperor during the remainder of Gregory's pontificate; but this also gave him an opportunity of manifesting the greatness of his genius, and of placing his skill and the firmness of his character in a light under which alone history can form a due estimate of their excellence.

Henry left Canossa, not doubting that Gregory would employ his influence with the refractory princes of Germany in his favour, and thus take effectual

\* *Juramentum Henrici* in *Greg. Epp.* lib. iv., between Ep. 12, and Ep. 13.

measures for upholding him on his throne; and he was therefore resolved to preserve the good understanding with the pontiff for his own sake. But no sooner had he recovered his dignity than he made a discovery which tended greatly to shake his determination. He found,—but he knew also that he had made this discovery too late,—that, if he had come into Italy as a man and an emperor, a great part of the country, including the whole of Lombardy, and especially the Milanese, would have been willing to support him against the pope, and that, accordingly, there had been a time when it was in his power to humble Gregory as completely as Gregory had humbled him. The Milanese did not conceal their contempt for his pusillanimity in so humbly supplicating the papal absolution; and the bishops of Lombardy told him plainly that he had greatly disappointed their expectations, and that they were ashamed to acknowledge him as their sovereign. Henry took pains to soothe the Lombards, and gave them to understand that they would find another opportunity of showing their dislike of Gregory. Henry's friends now began to gather round him, and his position soon became formidable to the pope: but he carefully avoided giving any cause of offence, until he was fully satisfied as to the posture of affairs in Germany.

Here, however, events had taken place which were extremely embarrassing to Gregory. Under the pretence that by his journey into Italy Henry had broken the contract by which he was bound to remain a whole year at Spire, the hostile princes now declared the throne vacant, and filled it by electing Rodolph, duke of Suabia. Henry, upon receipt of this intelligence, immediately marched at the head

A. D. 1077.

of the army which he had collected in Italy, and having defeated Rodolph in an engagement on the Neckar, deprived him of his dukedom, which he conferred upon Count Frederic of Hohenstaufen. Henry's party gained strength in Germany, and he was soon in all respects a match for the rival emperor. It now became important for each party to receive a declaration of the pope in his favour; but it was equally dangerous for Gregory to decide on behalf of either. He caused a decree to be issued by a council at Rome, in which, to the surprise of all men, he took no notice of the fact that a new king had been elected in Germany,—repeated his promise of sending two legates into that country with full powers to settle the disputes between Henry and the adverse party, —and pronounced excommunication against any who should hinder their journey or obstruct their efforts. The adherents of Rodolph, especially the Saxons, felt themselves aggrieved by this proceeding, and denounced it as false and treacherous towards themselves, and unworthy of the character of Gregory. The pope, however, insisted that the election of Rodolph had taken place against his advice and without his approbation, and that its validity must therefore be subject to his examination and decision. This language he maintained throughout the year 1079, while no event occurred to change materially the position of the conflicting parties. In the mean time, his legates went from one party to the other, and plundered both as well as they could. Both parties also sent ambassadors to Gregory,—both were received by him,—and to each he gave a promise of sending fresh legates into Germany, exacting from both parties an engagement upon oath that the legates



should have safe-conduct, and that their decision should be obeyed. At the beginning of 1080, however, the contest appeared to be at an end, and the papal decision speedily followed in favour of Rodolph. On the 27th of January, Henry lost the battle of Fladenheim; and on the 9th of March the sentence of excommunication was revived against him, his deposition confirmed, and all his subjects again released from their oath of allegiance. Rodolph at the same time was recognised by the pope as king of Germany, and, the apostolical benediction having been pronounced upon all who should remain faithful to his cause, Gregory sent him a crown, with the celebrated inscription "*Petra dedit Petræ, Petrus diadema Rudolpho.*" But the measures of the pontiff were in this case precipitate and premature. Henry, after his defeat, collected an army, proclaimed war against the pope, caused him to be deposed from the pontificate by a council, in which Guibert, archbishop of Ravenna, was elected pope under the name of Clement III., and, having defeated the Saxons in a battle in which Rodolph lost his life, hastened to Italy, and encamped, on the eve of Whitsunday 1081, before the gates of Rome. (A.D. 1084.  
Clement  
III.)

The time of Gregory's humiliation had now arrived, a humiliation which lasted during the remainder of his life. The emperor, finding that Rome did not immediately yield, turned the siege into a blockade, by which means he was at liberty to direct his attention to other quarters where his presence was required. At length, in the beginning of 1084, Rome surrendered, received the new pope Clement III., and compelled Gregory to seek safety in the castle of St. Angelo, which the Romans now assisted the

emperor in besieging as eagerly as they had formerly defended it against him. Here Gregory remained nearly three years, almost as a prisoner. During this period, and under these difficult circumstances, he conducted himself so as to extort the admiration even of his enemies; maintaining his dignity and pretensions with unshaken firmness, not only with regard to his opponents, but also with respect to those of whose services and assistance he stood in need. In 1081, the enemies of Henry in Germany elected a new king in the person of Hermann of Luxemburg, to supply the place of Rodolph. They reported this election to Gregory, while the forces of Henry were besieging Rome; and in reply the pope told them that he would recognise as king no one who would not promise strict obedience to the Church, and who would not consent to take an oath in the presence of his legates according to a formula which he prescribed,—an oath by which in fact the king of Germany was formally declared to be a vassal of the Roman see. In 1083, the Romans were urgent for the conclusion of a peace with Henry; and Henry was willing to come to terms, on condition that Gregory would crown him emperor. But Gregory declared that the emperor must first be reconciled to the Church, confess his faults, and receive absolution, before he could treat with him. At the same time he applied to the Norman duke Robert, and called upon him to render the aid which he owed to him as his liege lord. Robert was the only man in the world who could render Gregory any effectual assistance. But he demanded, as the price of his support, to be left in undisturbed possession of some Church property which had lately been acquired

by plunder; and Gregory would not give him this assurance any further than by consenting to say, "I now patiently bear with thee concerning the lands which thou unjustly occupiest."

Immediately on the entrance of Henry into Rome, Clement III. was enthroned as pope, who in return placed the imperial crown on Henry's head, March 31, 1084.

After a few months, by the aid of Robert and his Normans, Gregory was released from the castle of St. Angelo, and again enabled to hold a council, in which sentence of excommunication was pronounced against the emperor, the anti-pope, and all his adherents. Terrible, however, were the calamities which the Normans now inflicted on Rome, their ravages being described as not inferior to those of the Goths and Vandals of former times; and the rage of the Romans being now turned against Gregory as the author of these sufferings, he was compelled to flee from a place in which his life was every moment in danger. After a short abode on Monte Casino, he took refuge with the Normans in Salerno, and in this exile he died, May 24th of the following year, 1085. His last words were "*Dilexi justitiam, et odi iniquitatem; propterea morior in exsilio.*" The great plan which Gregory had formed for securing the independence of the Church did not, however, die with him. He left behind him a considerable party, animated with his own spirit, and conscious that their interests were identified with the eventual success of his schemes.

Henry had on his side most of the large towns of Italy, such as Milan, Parma, and Pavia, with the whole of Lombardy, and especially the Lombard bishops; but from some of these allies the assistance

which he could derive was very small, and from others it was uncertain; while the power of the Normans, in the south of Italy, had so greatly increased that they had become formidable to the emperor, and were looking forward to the time when they should come into actual collision with him. It was even said that Gregory had promised the imperial crown to Robert as the price of his assistance against Henry.\* That pontiff had also found a powerful friend and supporter in the countess Matilda, daughter and heiress of Boniface, marquis of Tuscany, whose large possessions in Italy enabled her to supply money and arms against the emperor.† After the death of Gregory, her interests, as well as those of the Normans, were identified with the anti-German party.

A. D. 1086.  
Victor III.

Shortly before his death, Gregory nominated three persons from whom he requested the cardinals at Salerno to elect his successor. One of them, Desiderius, abbot of Monte Casino, was elected; who, after long refusal and close retirement in his monastery, at length consented to ascend the papal throne under the title of Victor III. He died, however, after a brief pontificate; having first prevailed upon the cardinals to choose as his successor another of the nominees of Gregory, the cardinal Otho, of Ostia; who was accordingly elected, and assumed the title of Urban II.

A. D. 1088.  
Urban II.

This pontiff proved himself worthy of the double recommendation which he had received. Possessing no small measure of the dexterity and firmness of Gregory himself, he soon gave a turn to the war

\* Muratori, *Annal.* vi. 258.

† Greg. *Ep.* i. 40, 47; ix. 3; Baron. *ad an.* 1074, n. 10.

with the emperor which promised a speedy result, highly favourable to the papal interests. During the last three years the emperor had not been able to obtain so decided a preponderance of power in Italy as to enable him successfully to resist the operations of the hostile party. He could not hinder the Normans, and the countess Matilda, from bringing again their new pope to Rome, and putting him in possession of a part of the city and some of the churches, a portion of the Roman people being inclined to his interests. On their part, however, they had not been able to expel the anti-pope from Rome, who still had possession of the most important part of the city, including the Lateran palace and the castle of St. Angelo. Hostilities were desultory, and the event doubtful; when Urban, determined to bring the matter to a speedy issue, executed a masterly stroke of policy. He prevailed upon the countess Matilda to marry the son of the duke of Bavaria, by which means his father was induced to employ all his wealth and influence in the empire more zealously than ever against Henry. The effect of this alliance, however, not being so rapid or so great as Urban expected, he resolved upon adopting a still more vigorous measure. He prevailed upon Conrad, the only son of the emperor, to engage in open rebellion against his father,—caused him to be crowned king of Italy, and to be married to a Norman princess,—and thus brought about a change in the position of parties so complete that Henry soon found himself obliged to yield up Italy, in order to secure himself in Germany. Under these circumstances Urban had little to fear from the anti-pope, who had never been recognised by any foreign prince

except the emperor; for although, in the existing state of affairs at Rome, he had not yet been able to expel him from the city, but was content to purchase from him possession of the Lateran palace and church, still the party of Clement was so weak throughout the rest of Italy, and even in Lombardy, that it must have been impossible for it ever again to raise its head and obtain ascendancy.

It was at this juncture of affairs that Urban eagerly fanned the flames of that enthusiasm which had already taken possession of some men's minds for the rescue of the Holy Land out of the hands of the Mahometans, and lent his countenance to the first Crusade (A.D. 1091).

Some such idea seems to have presented itself to the mind of pope Sylvester II., as early as the beginning of the eleventh century.\* Gregory VII. had incited Henry IV. to a holy war, assuring him that there were fifty thousand men in Italy ready to engage in it, and that he was willing to place himself at their head. It is exceedingly probable that the project was renewed during the present pontificate, by a suggestion made to a French monk, Peter the Hermit, during the course of a pilgrimage which he had undertaken to Jerusalem; to whom it is said that Simcon, patriarch of Jerusalem, gave occasion to report that Christ himself had appeared to him in the church of the Holy Sepulchre, and had commanded him to stir up the whole of Christendom to the task of delivering the Holy Land from its infidel and unjust possessors. With letters from the patriarch authorising his mission, Peter immediately hastened

\* Greg. M. Epp. lib. ii. Ep. 31 (if genuine); lib. i. Ep. 49; lib. i. Ep. 46.

to Rome, and declared the matter to the pope, who prudently told him to publish the circumstance as widely as he could throughout the Christian world, and then to give him an account of the effect produced by his labours. With this account Peter returned to Rome, whither the fame of his success had already preceded him. Wherever he had expounded his mission and preached a crusade, the flame of enthusiasm in this cause had seized on countless numbers of persons in every rank of life; and he could confidently assure the pope that, if he would but give the word, one half of the inhabitants of Europe would be ready to march into Asia at his bidding without delay. Urban could, therefore, no longer find room for hesitation; indeed, it would have been difficult for him to repress the desire of Europe for a crusade. The pontiff applied himself to the task with promptitude and zeal. At a council which he convened at Placentia, in the beginning of 1095, he addressed the vast multitude assembled in a speech which at once enlisted all his hearers in the holy war; and, at a second council, in August of the same year, held at Clermont, in France, he found himself called on to conduct the actual execution of the undertaking with all speed. In the following year (1096) the first crusade was on its march, draining Europe of no less than half a million of its people.

If Urban possessed any measure of honest zeal in favour of this movement, still it is not to be supposed that his zeal was altogether blind; and we may be sure that he did not lose sight of the advantage which it could be made to yield to the interests of the papacy and the promotion of his own designs. It was im-

possible that he could foresee all the important results which flowed from the crusades to Europe and the whole race of mankind; but their bearing on his own interests, in one respect, could not fail to be appreciated by any pontiff of ordinary discernment, in the position which Urban at that time occupied. The universal fanaticism which had sprung up was an element capable of receiving a new direction, and of being employed for other purposes than those which were now before it. In the great struggle of the Roman see against the civil power for the independence of the Church, the pope could not expect to prevail except by aid of the spirit of the age and popular opinion. And what might not he hope for from the existing state of excitement, if he could succeed in directing it to the fulfilment of his own purpose? At the very outset, Urban began to make a good use of the power which already, to a certain extent, was at his disposal. A body of crusaders under Hugh, brother of the king of France, and the counts of Flanders and Normandy, having arrived at Rome, obeyed without hesitation the behest of the pontiff to effect the expulsion of the anti-pope Clement III. from that city.

At the same time, Urban began to assume a higher tone in the dispute respecting investitures, and generally in his intercourse with the sovereigns of Europe. He not only renewed the decree of Gregory concerning lay investitures, but he took accurate notice of particular instances in which princes offended against that decree. Conrad, the new king of Italy, having granted investiture to Arnulf, archbishop of Milan, Urban despatched a legate to deprive the archbishop of the see, or at



least to prohibit his consecration. Nor did he hesitate to arouse the haughty spirit of William the Conqueror, of England, whom Gregory had spared. The king having banished Anselm, archbishop of Canterbury, from the kingdom, because he insisted upon fetching his pall from Rome and receiving it at the hands of the pope, Urban now declared himself ready to pronounce sentence of excommunication against him; from which he was deterred only by the earnest entreaties of Anselm himself. But he avoided controversy on this subject with his Norman friends in Italy; and in order that he might with a good grace suffer them to proceed with their custom of granting investiture to their bishops, and otherwise interfering in ecclesiastical matters, he bestowed upon count Roger of Sicily, for himself and his successors, the rights of perpetual papal legates.

Still more sensibly did Philip I., of France, feel what accession of real power had accrued to the pope from the state of popular feeling excited by the crusades, and how well Urban understood the fact. Under Gregory VII. the highest ecclesiastical offences of this sovereign had met only with rebuke; and he probably hoped that no other results would follow under the pontificate of Urban. But in this he was mistaken. In 1085 or 1092, Philip had separated himself from his consort Bertha, and in the latter year he married the countess Bertrade, who had been separated from her husband Fulco, count of Anjou. Philip was married to Bertrade by the bishop of Senlis; and a council at Rheims, in 1094, declared the marriage valid. In this transaction, however, there was sufficient irregularity to give occasion to Ivo, bishop of Chartres, to denounce it as

scandalous. For this offence, Philip caused Ivo to be imprisoned; and this proceeding, together with the complaints of the count of Anjou, excited Urban to vigorous measures against him. In 1092, the pope addressed an epistle to the archbishop of Rheims, in which he severely rebuked him and his fellow-bishops, especially the bishop of Senlis, for their criminal connivance at the guilty act of the king, admonishing them to enjoin Philip to send away his new queen and take back the rejected Bertha, and declaring that, if the king should refuse compliance, he would be obliged "to draw the sword of Phineas against the Midianitish adulterers." He commanded the bishops also to insist upon the immediate release of Ivo, threatening that, in case of Philip's refusal, he would pronounce sentence of excommunication against him, and lay his whole kingdom under an interdict. Philip at first seemed willing to submit the whole matter to examination by the Church; but, when it became evident that his object was only to gain time, Urban nominated archbishop Hugh as his legate in France (1094), who, in a synod at Autun, pronounced sentence of excommunication against the king.\* Hereupon Philip assumed a very submissive tone, not only giving the pope reason to believe that he was ready to yield to his decision, but professing himself prepared to swear that he had abstained from all connubial intercourse with Bertrade from the moment in which the papal inhibition had become known to him. Upon this representation, Urban absolved him from the sentence of excommunication;† but afterwards, having

\* Conc. Eduense sive Augustodunense, A. D. 1094.

† Urbani Epist. ad Archiepiscopos et Episcopos Francie (Labbe).

found that the king had deceived him, he renewed the sentence with still greater solemnity, in a council at Clermont; and so great was the effect of that sentence, under the existing circumstances of the times, that Philip found himself obliged, after a short hesitation, to seek reconciliation to the Church by the actual dismissal of Bertrade.

At this council of Clermont it became evident, in another respect, how much the pope had begun to reckon upon the spirit of the age, for he now ventured to disclose to the eyes of the whole world that finishing stroke of papal policy to which the controversy concerning investitures was ultimately directed. He not only renewed the prohibition of lay investitures, but he caused it to be laid down broadly and universally as a new law that no ecclesiastic should take the oath of fealty to a layman.\* And thus the complete dissolution of all feudal connection between the Church and State was formally effected, —a point at which Gregory aimed, no doubt, when he began the dispute concerning investitures.

Urban died in 1099, after a pontificate of about twelve years, and was succeeded by Rainerius, a cardinal of the Gregorian, or anti-imperial, party, under the title of Paschal II. In the first year of his pontificate occurred the death of the anti-pope Clement, who had been already ejected from Rome;† and in the year following, the countess Matilda, who had been separated from her husband, the duke of Bavaria, formally renewed the donation of all her goods and possessions to the Roman see. Philip had

A. D. 1099.  
Paschal II.

\* Cone. Claromont. can. 17: "Ne Episcopus vel sacerdos regi, vel alicui laico, in manibus ligiam fidelitatem faciat."

† 17 Nov. 1102; see Baron. ad an. 1103, n. 20, 21.

now taken back Bertrade ; and Paschal immediately commanded his legate in France to renew the sentence of excommunication. This was done in a synod held at Poitiers, which was, indeed, dispersed by William, duke of Aquitaine, probably at the instance of the king, but, on this account, only produced the greater impression upon the popular mind. The king, shortly afterwards, having come to Sens, felt the effects of the sentence pronounced against him. The people closed all the churches, and threatened to murder Bertrade, who had caused one of them to be thrown open ; and thus again compelled the king to sue right humbly for absolution, which was not granted to him without some delay, nor until he had given full satisfaction to the demands of the papal see.\*

Events in Germany now took a turn decidedly in favour of the papal power. Conrad having died in the year 1101, it might have appeared possible that Henry would now again march into Italy. But even if he should not do so, still no political changes seemed likely to take place in Germany, adapted to put an end to the existing state of things ; while Henry, in fact, set the pope at defiance, freely granted investitures as formerly, and took no notice of the sentence of excommunication which had been pronounced against him. Matters could not be suffered to go on thus ; and Paschal made a successful attempt to turn the spirit of the crusades in his favour against the emperor. He employed every means to strengthen and increase the papal party among the German nobility and bishops ; and in this he so far succeeded that Henry, the emperor's second son, raised the standard

\* Paschalis II. Ep. 35.

of rebellion against his father in 1105. From the manifesto published by the young prince, it is evident that papal machinations were closely connected with his proceedings, the only charge which was herein brought against the emperor being that he had occasioned a schism in the Church, and had refused obedience to the pope ; while, in a council, the prince declared his only design to be to bring back his father to due submission to St. Peter and his successors. The conduct of his adherents soon disclosed his real intentions. No sooner had the emperor been brought into their power by an act of treachery than they compelled him, in a convention at Ingelheim, to lay aside the royal insignia, and patiently look on while his son was elected and crowned king. This blow, which had so far subdued his pride, or his courage, as to induce him to address himself most submissively to the pope and his legates, at length broke his heart, and he died in August, 1106.

Everything in Germany appeared thus far to proceed in accordance with the wishes of the pope, the new king and future emperor having vowed the most complete submission to the holy see, and being apparently bound, by his previous conduct, to fulfil his engagements. In a council held at this time, at which the pope received an embassy from the young king, soliciting the papal confirmation of his election, Paschal again gave a new sanction to the decree against lay investitures, but, at the same time, pronounced an universal amnesty for all past offences.\* This act of clemency was gratefully acknowledged by the German bishops and clergy, who made a promise of future obedience,—with the exception of the clergy

\* Conc. Guastall. A. D. 1106, can. 2.

of Liege, whose refusal so exasperated the pontiff, that he excited Robert of Flanders to undertake a crusade against them.\*

The scene, however, suddenly changed, and the world was astonished by the discovery that all the previous movements of the new king had been designed only to deceive the pope, and to induce him to enter Germany. The ambassadors who went to Italy to sue for the confirmation of his election were also charged to entreat Paschal to visit that country in person, in order to put a period to the disorders which had arisen and were not yet thoroughly allayed. Henry, however, was too impatient in this matter; for, no sooner had the pope set out for Germany than, thinking himself now sure of success, he gave some significant indications of his secret and real design, and even let fall a hint that, when once the pope had entered his dominions, he would no longer even treat with him on the subject of investitures. This was enough for Paschal, who henceforward regarded Henry as his most determined enemy, and not only suspended his journey towards Germany, but prepared to encounter future attacks from an emperor whose hostility he now so justly feared. He went into France, where he hoped to engage Philip and his son Louis in a combination against Henry; but he obtained, by this diversion, no more than a brief delay of the storm which had been already gathering against him in Germany.

No sooner was Henry aware that Paschal had discovered his designs than he threw off the mask, and proceeded to measures of open opposition. He

\* *Epistola Leodiensium adversus Papam Paschalem II.*; *Ep. Paschalis ad Robertum Comit. Flandrensiū (Labbe).*

sent an embassy to the pope in France, declaring his intention to proceed, in future, with the investiture of bishops as anciently in the time of Gregory I., and that the pope must be satisfied with this conduct if he meant to preserve peace between Church and State. Paschal replied that he would never submit to the bondage which Henry sought again to impose upon the Church,—that his claim was an impious attack upon divine right,—and that he must not expect him to yield for a single instant. To this the ambassadors answered that they would waste no more words on the subject, the emperor being determined to decide the controversy with the pope himself, by an appeal to the sword, at Rome. In 1110, Henry proceeded to put this threat into execution. He marched into Italy at the head of thirty thousand men, and sent deputies from Arezzo to the pope, asking him whether or not he desired to see him with his whole army at Rome, and saying that, if not, he must consent to crown him emperor, and formally to recognise his right of granting investitures, sending an answer to that effect without delay. The situation of Paschal was now extremely difficult; for, in a council lately held at Benevento,\* he had renewed the threat of excommunication against all laymen who should presume to grant investitures to ecclesiastics, and yet, on the other hand, he had no adequate means of resisting the power of the emperor. He could devise no other way of escape than an attempt to draw Henry into delusive negotiations, and of this artifice he made a masterly use. He told the ambassadors that it was impossible for him to withdraw the decree against lay investitures, and therefore also impossible to concede the right of

\* Conc. Benevent. A. D. 1108.

investiture to their master, but it was possible to offer an adequate compensation. He could not deny that the pretensions of princes to that right rested on good ground, inasmuch as most of those temporal possessions which they delivered to the bishops by investiture had been originally presented to the Church by their bounty ; but, since this right of investiture could be no longer conceded to them upon higher grounds of conscience, nothing remained but to give back that which undoubtedly belonged to them. He therefore declared himself ready to consent, in the name of the Church, that the emperor should resume all those possessions and regalia with which he had formerly invested the bishops and abbots of his dominions. After this, the crown would have no ground upon which to found a claim of the right of investiture ; and, at the same time, the Church would be no great loser by the poverty into which she would thus be thrown, inasmuch as her corruptions had proceeded chiefly from her wealth, and would probably cease with the loss of it, while the bishops would be able to attend to their proper business better than they could hitherto do, when clogged with the arrangement of so many temporal affairs ; and there could be no doubt that the voluntary offerings of the faithful would suffice for their sustenance, as in the early Church. No proposal could be more attractive and inviting to the emperor ; but it was, doubtless, this very circumstance which caused suspicion in the mind of the sagacious Henry, who could not also fail to perceive that, even if the pope was in earnest in making such proposal, yet it might not be acquiesced in by the German bishops, whose interests it immediately concerned. On the whole, he doubtless perceived that the design



of Paschal was not only to secure his own present safety by empty promises, but to involve him in new difficulties in his own dominions. He therefore resolved to shut up the pope in the pit which he had thus dug with his own hands. After some appearance of deliberation, the king accepted the proposed conditions, and the compact was solemnly confirmed by oath,\* Henry agreeing to renounce the right of investiture on the day of his coronation, and the pope engaging to command all bishops and abbots to restore whatever property had been granted to them by the emperors, from the time of Charlemagne. Henry now repaired to Rome, where he arrived, Feb. 12, 1111. Here he professed himself ready to take the oath declaring his renunciation of the rights of investiture before that altar in the presence of which he was to be crowned emperor; but he sarcastically added that it was, of course, necessary that the bishops present should first declare their assent to the conditions prescribed on their part. And this was the signal for a scene which had, no doubt, been previously concerted. The German and Lombard bishops in the train of the emperor vehemently attacked the pope, charging him with having helped himself, in his necessity, at their expense; and they were followed by the imperial princes, who declared that their sovereign should receive the crown in the same manner as all his predecessors, from the time of Charlemagne. The pope having found himself obliged to consent to the coronation, it was demanded that he should also expressly recognise the emperor's right of investiture; and upon his hesitating to do this, he was seized as a prisoner, and carried away,

\* Baron. ad an. 1111.

while his palace was plundered by the imperial troops. Exasperated by an insurrection of the Romans, Henry conveyed the captive pontiff from Rome, and is said to have threatened to give him a place among the martyrs unless he should immediately comply with his requirements. According to other accounts, he treated him with apparent respect, although as a prisoner; but all agree in saying that, at length, the pope entirely yielded. A fresh compact was hereupon made, in which the pope pledged himself to consent that, in future, all bishops and abbots freely elected, with the sanction of the emperor, should receive investiture at his hands, with the crosier and ring, before their consecration. The emperor insisted upon receiving the sworn assent of thirteen cardinals to this engagement, and required that the pontiff should himself publicly deliver the document which contained it to himself at the time of his coronation.\* He then set Paschal at liberty, returned in triumph to Germany, and exercised his right of investiture in the case of a newly-elected archbishop of Mayence.

After the departure of the emperor, the pope, in a Lateran Council, A.D. 1112, revoked all the concessions which had been extorted from him, and annulled the whole transaction which had taken place between the emperor and himself.† He was, to a certain extent, compelled to adopt this step by the clamour of the Romans and the cardinals, together with all the adherents of the Gregorian party in and out of Italy. By them he was vehemently accused of having timidly betrayed the rights of the Church; even his acts in the Lateran Council were scarcely

\* Baron. ad an. 1111, n. 17, 18, 19.

† Conc. Lateran. A. D. 1112.

accepted, instead of what it was declared he ought to have done upon his own responsibility, while he was blamed for not having proceeded to pronounce sentence of excommunication against the emperor; and he was, at length, compelled to adopt even this extreme measure. A council of Burgundian bishops, convened by Guido, archbishop of Vienne, undertook, in its zeal, by a new right, to pronounce the desired anathema, and sent its decrees to Rome, with a declaration that nothing but the pope's assent to them should induce them to regard him any longer as the head of the Church and successor of St. Peter.

There was now no reasonable prospect of extorting the right of investiture out of the hands of the emperor as long as his power in his own dominions was unshaken; and the prospect was diminished by the fact that the German princes and bishops had zealously assisted Henry in obtaining his victory over the pope. In a short time other circumstances arose, which not only threatened to interfere with the schemes of the Gregorian party, but seemed to be charged with danger to the papacy itself. In 1116, the emperor undertook an expedition into Italy, in order to take possession of the estates of the countess Matilda, who had died in 1115. At his approach, Paschal was so alarmed that he fled for safety to Benevento (1117); and, even at this distance, he did not display any spirit in asserting the claims of the Roman Church to the property which had been formally bequeathed to it. By this means he so far increased the contempt of the Roman people that, on his return, they would not even admit him into the city. He soon after died, like Gregory, in exile. The car-

A. D. 1118.  
 Gelasius II.  
 (Gregory  
 VIII.)

dinals having elected John of Gaeta as his successor, under the title of Gelasius II., the emperor incited the Roman people to make an attempt to recover their original right of election,\* and they accordingly elected a Spanish archbishop, Maurice Bourdin, under the name of Gregory VIII. The emperor exercised also his right of confirmation in favour of Gregory, and soon compelled Gelasius to quit Italy and seek refuge in France.

It now seemed as if the ancient relations between the emperor and the pope would be, in a short time, fully re-established; but, fortunately for the papacy, at this juncture affairs took a new turn in Germany, and soon brought about a change which, however, turned out more favourably for the emperor than he could have hoped.

A. D. 1119.  
 Calixtus II.

Gelasius soon died in France; but the cardinals of the Gregorian party, who were in his train, immediately elected, as his successor, Guido, archbishop of Vienne, who took the name of Calixtus II. This choice was well received by the Romans, who declared themselves ready to recognise the new pope as soon as he should come into Italy, a declaration which produced a highly favourable effect in Germany. When he undertook his present expedition into Italy, Henry left behind him a fermenting opposition in his German dominions, excited and maintained principally by the bishops, especially Albert, archbishop of Mayence; and a diet at Wurzburg, assembled during his absence, threatened to depose him unless he should appear personally and answer various charges preferred against him. When the account of the election of Calixtus reached this party, they did not

\* Muratori, *Annal.* tom. vi. pp. 390, 391.

hesitate to recognise him as pope, and thus to identify their cause with his; and they gave notice to the emperor that he must come to an understanding with the new pontiff on the question of investitures, at a council which he had summoned at Rheims.

There was no reason why Henry should have been surprised at this change in the sentiments of the German clergy, and even of those who had been most forward in supporting him against the preceding pope. On his first return from Italy, he had made a use of his right of investiture, such as the German Churches could not long tolerate; having in fact employed his power for the purpose of spoliation and plunder. The German bishops perceived that of the two evils between which they had to choose,—an entire submission to the emperor, or a greater dependence on the pope,—the latter was the least; and they were accordingly now prepared to contend not so much on behalf of the papal see as for their own interests. Under these circumstances, the emperor was willing, or at least professed himself willing, to treat with the pope; and the latter was no less willing to enter upon negotiations. Arrangements were even made for a formal interview; but on this occasion the pope put forward certain demands with which the emperor could not comply, and they parted with less prospect of agreement than had existed before they met. The pope, greatly disappointed, not only gave a fresh sanction to the decrees against lay investiture,\* but caused sentence of excommunication to be pronounced against Henry. The estates of Germany now became urgent in requesting the emperor to effect a reconciliation with the pope, while at the same time they

\* At the Council of Rheims.

were themselves busy in their negotiations with him. These measures at length produced (September 23, 1122) the celebrated Concordat of Worms,—a treaty made between the emperor and the pope at a council convened by the emperor at Worms, and afterwards ratified by a General Council in the Lateran palace in the following year, 1123.\*

By this Concordat, the emperor bound himself to maintain perpetual peace with the popes, and to restore to the Church of Rome and all the churches in his dominions whatever property had been taken from them,—promising also that there should be in future no interference with the free elections of bishops and abbots,—and undertaking not to grant investiture with the crosier and ring. In return for this, the pope conceded the following particulars: 1. That all elections of bishops and abbots in the German empire should take place only in the presence of the emperor, or his deputies or commissioners, but without simony; in case of a disputed election, the emperor to decide in favour of the candidate who should be declared duly elected by the metropolitans and bishops of the province. 2. The elect to be invested with his temporalities at the imperial court by the sceptre only, without the crosier and ring, and to pledge himself to fulfil all his obligations to the emperor and the state. 3. With reference to bishops within the empire, but beyond the limits of Germany, the same regulations should take place, but with this limitation, that such investitures should be performed within six months from the date of consecration. After the signature

\* This was the first (so-called) Œcumenical, or General, Council held in the west; it is reckoned by the Church of Rome as the ninth General Council.

of this Concordat, one of the papal legates, the cardinal Lambert of Ostia, celebrated high mass, administered the communion to the emperor in token that he was absolved from the sentence of excommunication, absolved also his whole army with all his former adherents, and thus set the seal to the peace concluded between the Church and the State.

We may at first be disposed to wonder that the terms of this Concordat were so favourable to the emperor. He lost none of his essential rights and privileges; the only sacrifice which he made was that of a ceremony, and instead of this he was permitted to exercise another quite equivalent. The feudal connection of the Church with the State, and the relation of vassals to the emperor on the part of the bishops, which it was Gregory's design to do away, were now formally sanctioned by the pope; and that too expressly in face of the new decree of Urban II., whereby it was declared high treason against the Church if any spiritual person should take an oath of allegiance to a layman.

Besides this, the pope seems to have abandoned that which it was the immediate and ostensible design of Gregory to secure at the commencement of the dispute concerning investitures. It was his design to deprive temporal princes of that influence in the filling up of vacant bishoprics and abbaties which they derived from the practice of investitures: but the emperor does not appear to have lost any measure of this influence by the terms of the Concordat; rather, he was hereby placed in a situation which would command a more decided influence in these elections than ever. Elections which could take place only in the presence of himself or his com-

missioners would surely be, to a great extent, under his influence. It might have been considered as implied in the Concordat that the imperial investiture should precede the consecration of newly-elected German bishops, so that a delay in the investiture of an unwelcome nominee might have seriously interfered with his possession of the dignity. And the stipulation against simony was not more stringent than the regulations on this head which had formerly existed. Accordingly, when viewed in this light, it seems strange that this Concordat received the sanction of the pope, with the approbation of the whole Gregorian party. There was, at all events, no show of opposition when the pope proposed the Concordat for confirmation to the General Council at Rome in 1123. All that is thus surprising may, however, be explained by the concurrence of certain outward circumstances, especially one of a very singular and surprising character.

There can be no doubt that the nobles of the German empire extorted the consent of the pope. They declared themselves satisfied of the equity of the terms proposed; and threatened, in case of his withholding assent, to charge him personally with all the ill consequences of a continued conflict between Church and State, and to support the emperor with all their power. In this the bishops also concurred. It is easy to understand the part which the temporal estates thus took in the affair, after they had become acquainted with the real object of the controversy; but what could have induced the ecclesiastical dignitaries thus to alter their opinion and change their line of proceeding? At the time in which an agreement began to be seriously contemplated, Godfrey,



abbot of Vendome, a cardinal, who had hitherto most strongly advocated the highest papal pretensions in the controversy relating to investitures, published a suggestion that the difficulty might be surmounted by the emperor's yielding the right of investiture with crosier and ring, and retaining that with the sceptre. A light appeared suddenly to have burst on men's minds, which was hailed with the utmost satisfaction by all parties alike, because all were equally weary of the conflict which had been so long raging. Under these circumstances, the pope found that he could no longer continue the struggle with any prospect of success; and policy dictated the prudence of apparently giving a hearty acquiescence to the means of settlement which had been devised.

At the same time, the pope and his party could not fail to perceive, that something had been gained during the last fifty years,—something which Gregory had designed as at least a subordinate issue of the struggle. The papal name and dignity had become more formidable than formerly in the eyes of temporal princes, and by this means opportunity was afforded to the pontiff of exercising a more extensive influence in Church and State. The crusades, also, had materially contributed to the promotion of this object. With these advantages, Calixtus was wisely disposed to rest satisfied for the present, regarding the existing position of the papacy as a good starting-point for further operations at some future day, and thinking it better to retain this ground than to run the risk of losing it by insisting, under unfavourable circumstances, upon the immediate emancipation and ascendancy of the Church.

There was another dispute, in which Calixtus ear-

ried his point, not without opposition. A contest had long been carried on between the archbishops of Canterbury and York concerning the independence of the latter. In 1072, a papal legate, in a council begun at Winchester and ended at Windsor, decided in favour of Canterbury. But Thurstan, who in 1118 became archbishop of York, maintained the independence of the see, and was supported by Paschal II. When the Council of Rheims was held by Calixtus in 1119, Henry I., king of England, who had declared in favour of Canterbury, permitted Thurstan to attend the council, upon condition that he would not cause himself to be consecrated by the pope. But this consecration having taken place soon after at Rheims, Henry forbade Thurstan ever again to enter his dominions in England or Normandy. Not long after, the king held a conference with the pope in Normandy, at which the latter consented that no legate should ever be sent into England, except by desire of the king himself, when his own bishops might be unable to settle the affairs of their Church. The pope requested the king to receive Thurstan again; but Henry replied that this was impossible, since he had sworn never to yield this point. Calixtus thought it was sufficient to remind him that he was pope (*Ego apostolicus sum*), and that if the king would do what he desired, he would release him from the obligation of his oath. The king asked for time to consider, and afterwards told the pope that it was contrary to his honour to receive such absolution, since no one would ever afterwards trust a promise made upon oath if it should be seen by his example that it was possible for an oath to be set aside. He consented, however, to concede thus much, that if Thurstan would repair to

Canterbury, and there give a written promise of subjection and obedience to the archbishop of Canterbury (as his predecessors had done), he should then obtain possession of the see of York. In 1120, Calixtus declared the Church of York wholly independent of that of Canterbury; but it was not until the following year,—after Thurstan (in the manner in which everything is obtained at Rome, says Eadmar, the monk of Canterbury) had procured a written instrument from the pope, commanding his institution, under the penalty of excommunication of the king, and suspension of the archbishop of Canterbury, in case of refusal,—that Thurstan came to York, and then it was only on condition that he should perform no divine office out of the limits of his diocese until he should have made satisfaction to the Church of Canterbury for the injuries he had committed,—a condition which was never fulfilled.

Calixtus died in 1124. During the pontificates of his five immediate successors, a space of twenty-five years, various events occurred, adapted to put to the proof the stability of the newly-acquired papal power. The election of his next successor, cardinal Theobald, (Celestine,) was opposed by a powerful party in Rome, who set up as antipope cardinal Lambert of Ostia, Honorius II.; peace, however, was restored by the compliance of Theobald, who resigned his pretensions to the papal see, recognised Honorius II., and successfully employed his efforts to induce all parties to receive him. A fresh contest,\* which arose upon the death of Honorius in 1130, concerning the election of his successor, threatened more serious consequences. The new pontiff, Innocent II., and the party in the

A. D. 1124.  
Honorius  
II.

A. D. 1130.  
Innocent II.  
and  
Anacletus  
II.  
(rivals).

\* Baron. ad an. 1130, n. 3, 4.

college of cardinals by which he was elected, were opposed by another party, which elected the cardinal Peter of Leon, under the title of Anacletus, the latter being supported by the greater part of the nobility and people, as well as by the majority of the cardinals. Roger and the Romans were also secured on the side of Anacletus, and Innocent was obliged to retire first from Rome and then from Italy, and to seek for safety in the ordinary place of papal refuge, France. Here he found an influential friend and supporter in the person of Bernard of Clairvaux, by whose means the kings of France and England, together with the emperor Lothaire, were persuaded to espouse his cause. In 1132, the emperor, at the head of his army, conducted him back to Italy, where many of the large towns were induced to declare in his favour. The Romans, however, still adhered to Anacletus, who retained possession of Rome until his death in 1138; his party then elected another pontiff in his room, but soon afterwards submitted to Innocent, and thus put an end to the schism, which had lasted eight years.

A still greater danger threatened the papacy from the troubles in which the immediate successor of Calixtus was involved with the Normans.

Upon the death of William, duke of Apulia, the last descendant of Robert Guiscard, in 1127, his cousin Roger, count of Sicily, took possession of his dominions, consisting of the principality of Salerno, and the duchies of Apulia and Calabria. The pope was indignant at this act, inasmuch as Roger took possession of these countries without seeking investiture from him. He went to Benevento, where he pronounced excommunication against Roger and all his partisans. It was in vain that Roger sought to ap-

peace him by large presents, and grants of territory ; the pope repeated his excommunication, and refused to invest Roger with Apulia and Calabria, on the plea that William, when at the point of death, had bequeathed these countries to the apostle Peter and his representatives. Roger, on the other hand, sought to defend his right by force of arms ; when the pope, having a third time excommunicated Roger, advanced with some troops against the refractory count in 1128. But he was in want of money and means ; and, being unable even to keep his army together, he concluded a peace in the course of the same year, by which he consented to invest Roger with the two duchies, on condition of the usual oath of fealty, and a promise of tribute.

Innocent now deemed it expedient to show himself as the head of the Western Church in a General Council, by the decrees of which he might remove out of his way all remaining obstacles, and make some ecclesiastical arrangements at his pleasure. This council (the Second General Lateran, in 1139) was attended by nearly a thousand prelates ; it pronounced all the ordinations of Anacletus void, and passed a sentence of excommunication upon Roger, who had received from Anacletus the title of king of Sicily. Of this sentence Roger made little account ; but in the course of the same year he invaded Apulia, and after a vain attempt at compromise, he attacked and defeated the papal troops, and took the pope himself prisoner.

Innocent now met with nearly the same treatment as had been experienced by Leo IX., about a century before. The king humbly entreated him to make peace, and the pope consented to all the conditions proposed to him with an appearance of respect and

humility. Roger and his sons then threw themselves at the feet of the pontiff, besought indulgence, and took an oath of fealty to St. Peter, the pope, and his lawful successors, with the promise of an annual tribute. On the other hand, Innocent acknowledged Roger as king of Sicily, on the ground of great services rendered by his ancestors to the Church, and alleging that his predecessor, Honorius, had conferred this dignity upon him on account of his merits. Roger was then invested by the pope with this kingdom, with the duchy of Apulia, and the principality of Capua.

Thus even the imprisonment of the pope tended to the establishment of his dominion over the new kingdom of Sicily. Craftily enough, but against the truth of history, the pope pretended that this kingdom had been founded by his predecessor, Honorius,—whereas this had been done by the antipope, Anacletus. Baronius says,\* it is undeniable that nothing short of Almighty power could have converted so cruel a tyrant as Roger was into a humane, humble, and pious prince, and could have induced him to declare his subjection to a captive pope. But, in fact, this was only a repetition of the case of Robert Guiscard. Roger felt the necessity of being on good terms with the Church. The pope was capable of extending powerful protection to his friends; and at this time Roger was not secure from hostilities on the part of the emperor of Germany,—besides requiring some influence and character as a set-off against the unpopularity of certain acts of violence in his newly-established kingdom; and for all these purposes he knew of no better means than a renewal of his

\* Baron. ad an. 1139, n. 15.

former amicable relations with the papal see. It was, therefore, on his part only a matter of well-considered state policy; and Innocent, like his predecessors during so many centuries, derived great advantage from the well-employed name of the apostle Peter.

During the course of these transactions, the papacy was called to encounter a more formidable enemy than even Roger of Sicily, in a man who by his boldness, zeal, and eloquence, endeavoured to shake one of the main pillars of the dominion of the popes and the clergy.

Arnold, a native of Brescia or Brixia, in Upper Italy, after having studied under Abelard in France, and having taken holy orders in his native town, began to inveigh against the vices of the clergy, and their large possessions. He is said to have held unsound views on the sacraments; but his real heresy appears to have been that of maintaining that the clergy ought not to possess lands and other fixed property, but ought to be dependent upon first-fruits, tithes, and voluntary offerings. He was condemned in the great Lateran Council of 1139; and this condemnation excited the spirit of opposition, and kindled the spark into a flame.

Arnold fled first to France, and there combined with his tutor Abelard against Bernard, by whom Abelard was so bitterly opposed. Bernard, by the representations which he made of the doctrines of Arnold, prevailed upon the pope to issue a command to the archbishops of Rheims and Sens to shut up both Abelard and Arnold in a monastery, and to burn their books. Arnold then fled to Zurich, where he propagated his former tenets. But here Bernard did not leave him unmolested; he urged upon the

bishop of Constance not to suffer in his diocese the presence of this enemy of the cross of Christ, this persecutor of the clergy, this raging lion who ate up the people as a morsel of bread,—but to cast him into prison; and when the papal legate in France, the cardinal Guido of Castello, received Arnold secretly into his house, Bernard admonished him, according to the injunctions of the apostle, to avoid the company of a heretic after repeated admonition, lest he should appear to favour his cause and thereby to contravene the sentence of the pope. By this time the doctrines of Arnold had made great progress among the people, even in Rome itself; and an opinion had gained ground that the pope had no right of dominion over that city. The spirit of insubordination broke out into open rebellion on the following occasion. The people of Tivoli having manifested disobedience to the pope, and having been excommunicated on this account, the Romans laid siege to the place, but were repulsed with great loss. At length, Tivoli surrendered to the pope; but the Romans were so exasperated as to demand that its walls should be demolished and its inhabitants removed to some other place. The pope not consenting to these measures, the Romans assembled in the Capitol, proclaimed the establishment of the ancient republic, and again declared war against Tivoli, which Innocent endeavoured in vain by threats and presents to avert.

A. D. 1143,  
Celestine II.  
A. D. 1144,  
Lucius II.

Innocent was succeeded first by Celestine II., and shortly afterwards by Lucius II. This pontiff found himself involved in conflict with the Romans; who not only maintained their established senate, but also elected a Patrician, to whom they acknowledged sub-



jection as their prince, claiming for him all the landed possessions of the pope, who, said they, ought to be supported, as formerly, by tithes and free-will offerings. Lucius died, either from anxiety of mind, or through wounds received in conflict with the people, February 25, 1145.

Upon his death, the cardinals proceeded to elect a successor without loss of time, in order that the disorders at Rome might not gather strength during the vacancy of the papal chair. They fixed upon Peter Bernard, of Pisa, abbot of a Cistercian monastery near Rome, a pupil of Bernard of Clairvaux, who had appointed him to this monastery. He took the title of Eugenius III. When about to be consecrated at St. Peter's, having learnt that the "senators" were on the point of coming to compel him to accept their confirmation of his election, he fled, with his cardinals, to the monastery of Farfa, where the ceremony was completed. He then went to Viterbo, where he received intelligence of the loss of Edessa, and of the helpless state of the Christians in those quarters, which impelled him to incite the king of France, Louis VII., to a new crusade. In the mean time the Romans had compelled the papal governor of Rome to quit the city, forced the leading men to submit to the patrician, destroyed the palaces of many of the nobles and the houses of many cardinals and clergy, and, turning St. Peter's into a fortress, compelled the pilgrims, upon their arrival, to deliver up their money, putting many of them to death in the outer court of the church. Eugenius excommunicated the patrician; and, by aid of the inhabitants of Tivoli, the old enemies of the Romans, he at length compelled the Romans to sue for peace, which

A. D. 1145.  
Eugenius  
III.

he granted on condition that they should abolish the patriciate, restore his own governor to his office, and consent to appoint senators only according to his will. At the end of 1145, the pontiff returned to Rome, where he was received with great demonstrations of joy: but again, in 1146, he was obliged to quit the city, on account of his continued opposition to the Romans in their design to overthrow Tivoli and rase it to its very foundation.

Soon after the accession of Eugenius, Arnold of Brescia, who had lived some years in retirement, again came forward, and promoted the existing disturbances, by abetting the Romans in their revolutionary measures, and maintaining that the popes ought to possess no more than ecclesiastical power.

Eugenius now sought refuge in France;—and this seems to have been an excellent opportunity for the emperor of Germany to have gained entire supremacy at Rome.

The cause of the exiled pontiff was warmly espoused by the celebrated Bernard of Clairvaux. He wrote to the Romans; and also to the emperor, exciting him to act in his behalf. But the most important service which he rendered to the pope was that, in 1146, he went into Germany, and did not rest until he had persuaded the emperor to undertake a new crusade,—which prevented him for more than a year from taking any important part in the affairs of Rome. The pope, although an exile from Rome, was thus powerful enough to despatch both the emperor and the king of France, with the flower of their troops, into the east, on an expedition which was entirely under his own control. In France he himself held councils (Paris 1147, Rheims 1148) in

which he condemned heresies, and settled other ecclesiastical matters according to his will.

In 1143 the chapter of York was divided in the election of a new archbishop, the one party supporting William, sister's son to king Stephen, the other Murdach, a Cistercian monk, and pupil of Bernard. William, who had the majority of votes, was consecrated by Henry, bishop of Winchester, the king's brother, and papal legate. Murdach having appealed to the pope was supported by Bernard; while his party accused William of having suffered himself to be nominated by the king before his election. William, however, remained in possession of the bishopric; but, in 1147, the pope deprived him of his office, in a council at Paris. Baronius himself has recognised the injustice of this sentence, only remarking that this was no matter for reflection upon the sanctity of Bernard, who did not deny that he was strongly imposed upon by false statements. After the death of the pope, William recovered possession of his archbishopric; and afterwards obtained a place among the saints of the English Church.

Bernard was not content with directing all the actions of the pope during his residence in France; he sought to guide him by a book of counsels after his return to Italy.\* But it is probable that this work, having been courteously received, was laid aside without producing any beneficial effects upon the principles and practices of the papal government.

It was long before Eugenius could obtain peaceable possession of Rome. In 1149, with his own troops and those of Roger, he reduced the Romans to submission; but in the very next year he was again

\* De Consideratione, libri v., ad Eugenium III.

obliged to quit the city, doubtless because the people were not willing to abolish their new institutions. At length, however, in the year 1152, he finally made terms with the Romans, and would probably have succeeded in dismissing the senate, if he had not soon after died.

The emperor, Frederic I., who succeeded Conrad III. in 1152, appears to have resolved upon fully recovering the regal rights of his predecessors in Italy. Under the reign of Conrad, who had never entered Italy, the very title of king of that country had been almost forgotten. Most of the large towns had become accustomed to a republican constitution, and were ready to consider their rights invaded and their liberty threatened at the very mention of subjection to a king; while the possessors of the larger fiefs seemed to have forgotten that they were required to pay tribute or to render any feudal services. It seemed needful, therefore, not only for the dignity of the crown, but for the welfare of the kingdom, to revive the remembrance of these matters. Frederic was sensibly alive to his Italian interests, and was the more disposed to undertake their defence, as affairs in Germany were tranquil and his authority there universally acknowledged. It is probable that he had at first no designs against the pope; and that he may have even calculated on his assistance for their execution. Certainly, on occasion of his first expedition into Italy, Frederic betrayed no hostility to the papal see; and although he was embroiled with Eugenius on occasion of a disputed election of an archbishop of Magdeburg, still there is no reason to ascribe to him a plan of opposition. In this case he acted only according to the terms of the Concordat.

Anastasius, who succeeded Eugenius in 1153, died in the following year, and was succeeded by Nicholas Breakspeare, formerly cardinal of Albano, under the title of Adrian IV. At the beginning of his pontificate, he encountered the formidable Arnold of Brescia, whom Eugenius and Anastasius had in vain endeavoured to eject from Rome, where he was supported by the senators and other leading Romans. Adrian commanded him to quit the city; but he bade defiance to the pope and his cardinals, and is said to have even proceeded to acts of violence. Hereupon, Adrian laid Rome itself under an interdict (the first time that such an event had occurred in that city); which was continued until the senators, compelled by the clergy and people, promised upon oath that the heretic Arnold and his associates, if they would not submit themselves to the holy see, should be driven out of the Roman territory. The banished Arnold did not wander long before he fell into the hands of a papal legate. He was rescued by some powerful friends; but Frederic, being on his march to Rome, and being pressed by the papal nuncios to procure the delivering up of the heretic, compelled his protectors to abandon him. Arnold was brought to Rome, where he was hung, his body was burnt, and the ashes thrown into the Tiber.

A. D. 1153.  
Anastasius  
IV.

A. D. 1154.  
Adrian IV.

Frederic adopted vigorous measures for the establishment of his authority among the cities of Lombardy. When he advanced towards Rome, the pope, without any apparent reason, became alarmed, and took refuge in a fortress at some distance. Frederic, however, calmed his apprehensions, and arrangements were made for an interview at Sutri near Rome. On this occasion, when Adrian dismounted from his horse,

Frederic having neglected to observe the custom of holding his stirrup, the cardinals were so horror-stricken with the omission that they retired in haste from the scene, and the pope seated himself in astonishment. Frederic, kneeling, kissed his foot; but when he expected the kiss of peace in return, the pope said to him, "Since you have declined to render to me that accustomed and due mark of respect which your predecessors, the orthodox emperors, have shown out of reverence to the apostles Peter and Paul, I will not admit you to the kiss of peace until you have rendered satisfaction for the offence." The emperor maintained that he was not bound to observe this custom; and this question was debated during a whole day. At length it was conceded that the emperor should hold the stirrup when the pope should mount his horse.\*

Frederic was crowned June 18, 1155. Soon afterwards sickness among his troops compelled him to retire to Germany, in possession of the crown, but without having gained the mastery of Rome. In this case, all was in favour of the pope; the emperor himself having maintained the prejudice that no German king and emperor could possess the full right of dominion until he had received his crown at the hands of the pope,—while, on the other hand, he had gained no increase of substantial power. His false regard for the papal see, or rather perhaps his acquaintance with the popular feeling on this subject, prevented him from taking due advantage of the existing disposition of the Romans. Instead of this, Adrian and his successors were permitted to foment the jealous suspicions of the emperor against that people; and by this means,

\* Baron. ad an. 1155, n. 4.

among others, they obtained at length the object of their desire, the full possession of Rome.

Adrian was involved in an unpleasant affair with William, king of Sicily. In 1155 this sovereign refused to receive the nuncios sent to him by the pope, because in the papal rescript which they brought he was styled only Lord of Sicily, probably with a view to show that, as a vassal of the holy see, he held the kingdom at the pleasure of the pope. Soon after, the king laid siege to the papal city of Benevento, and devastated the surrounding country. This little war led to a serious commotion. Many powerful nobles, evidently stimulated by the papal court, engaged in its quarrel; even the Greeks abetted its cause by invading William's territories; and when William devastated the Roman territories, the pope excommunicated him. In the same year the king was master of the country; yet even now the pope, the promoter of these disturbances, although shut up in Benevento, maintained his superiority. He sued for peace; but he obtained it on terms as advantageous as if he had prescribed them himself. William threw himself at his feet; took the oath of fealty; and was invested by him with the kingdom of Sicily, the dukedom of Apulia, and the principality of Capua, with Naples, Salerno, and Melfi; in return for which he engaged to defend the pope against all enemies, and to pay him a yearly tribute.

The emperor was not well pleased that Adrian had made an alliance with the king of Sicily without his knowledge and consent; having promised to render him assistance in the struggle, and having formed a design of reducing the Normans in Italy, and of employing the alliance of the pope in favour of this

undertaking. It was, in fact, his discovery of the emperor's design to make the German power again dominant in Italy which induced the pope to hasten his reconciliation with William; the power of the Normans being the only one which, in unison with his own, could form a check upon the emperor's influence in that country. Besides this, a letter from the pope, sent by the hand of two legates to the emperor in 1157, tended to increase his displeasure and that of his nobles. A bishop had been plundered and made prisoner by some freebooters near Thionville,—an occurrence of no unusual kind,—the captive being detained by the freebooters until he procured a satisfactory ransom. No active measures having been adopted in connection with this event, Adrian sent an epistle by two cardinals to the emperor at the diet of Besançon, containing bitter reproaches for his neglect, which he interpreted as a slight designedly cast upon the emperor's most gracious mother the holy Roman Church. Especially offensive to the diet was a passage in which the pope spoke of himself as having imparted to the emperor the plenitude of dignity and honour by the imperial crown, and as having been willing to confer upon him a yet greater benefit (*beneficium*). The latter expression was interpreted according to the common use of the word *beneficium* in those times, as if the pope regarded the Roman empire as a fief of the papacy,—an explanation probable enough, considering the style of thinking and acting which the popes had adopted ever since the time of Gregory VII. One of the German nobles having expressed his dislike of the term *beneficium*, employed by Adrian, one of the cardinal legates asked, “And from whom then has the emperor his



crown if not from the pope?"—a speech by which the count Palatine of Bavaria was so highly enraged that he was on the point of employing his sword against the legate. Frederic sent back the legates safely to their house, but with injunctions to quit the place next morning, and to go straight to Rome. He then published a manifesto to the whole German nation complaining in bitter terms of the haughtiness of the Roman see, protesting against the doctrine that the empire was a fief of the popedom, and solemnly affirming that the emperor held his crown directly from God and by the free election of the estates of the realm. And after the diet, Frederic sent a circular explanatory of this matter to all the estates, especially the spiritual.

The pope now wrote to the German bishops complaining of the conduct of the emperor, and exhorting them to use their efforts in order to bring him to his right mind,—to induce him to follow the example of Justinian,—and to let him know that the Roman Church was so immovably founded that it could never be overthrown. On former occasions the pontiffs, in their struggles with the emperor, had confidently appealed to the German bishops, and had derived aid from them in forming a party against the emperor. But this time the attempt failed, partly on account of the disposition of the bishops themselves, and partly in consequence of the skilful and firm conduct by which the emperor had won their esteem. The bishops wrote back to Adrian, expressing themselves astonished at the language he had employed in his letters to the emperor, and saying that they were obliged to advise the pope to assuage the emperor's displeasure as soon and as well as he could.

Under these circumstances, Adrian sent to the

A. D. 1158. emperor two cardinals better versed in the arts of diplomacy than the former. They found him in his camp near Augsburg, and with many civil expressions handed him a letter from the pope, containing an explanation of the use of the term *beneficium*, as equivalent to "*bene factum*," and no more; and with this the emperor and princes were satisfied.

This good understanding between the emperor and the pope continued, however, only until the following year 1158, when Frederic entered Italy with a large army with the full purpose of reducing his Italian dominions to order. Having humbled Milan and obtained complete mastery in Upper Italy, he caused the imperial rights with respect to the large cities of those parts to be clearly defined and understood, to the great increase of his legitimate power, but little to the satisfaction of the pope, who jealously regarded every accession of the emperor's power as a reduction of his own. Impelled by the representation of the Lombard and other Italian bishops, from whom Frederic had exacted the oath of allegiance and the payment of feudal dues, Adrian addressed a strong remonstrance to the emperor; and he gave further offence by refusing to confirm the appointment of Guido, who had been elected archbishop of Ravenna.

Enraged by this treatment, Frederic commanded his chancellor when writing to the pope to place his own name before that of the pontiff, and also to address him in the singular number. The pope then sent a letter to the emperor, expressing his astonishment at his refractory and irreverent conduct, and commanding him to reform;\* and to this the emperor sent a very spirited reply, in which he ex-

\* Baron. ad an. 1159, n. 5, 6.

horted the pope to humility, to imitate the example of Peter, and to render to Cæsar the things that are Cæsar's. Adrian, however, was by no means willing to listen to this advice; and at the time of his death he was on the point of pronouncing a sentence of excommunication against Frederic.

The pontificate of Adrian is remarkable, especially to the student of English history, for the grant of Ireland made by this pope to king Henry II.

“ The professed objects of pope Adrian in the gift of Ireland to Henry were to bring ‘the rude and uncultivated people of Ireland,’ as he calls them, ‘to the truth of the Christian faith, and to enlarge the bounds of the Church.’ The true meaning of these and many other ambiguous expressions in the pope's letter is not easily discerned. It was written the year after Becket was made chancellor, in the second year of Henry II. Henry, on the accession of Adrian, had written to him a congratulatory letter, in which he urges him in general terms so to govern the Churches that all may bless his nation; and that his own country especially may have reason to rejoice in his elevation. The notion which a king may be supposed to entertain by these expressions would probably refer to the anticipation of the temporal greatness of his kingdom being increased; for he sent a solemn embassy to Rome, and solicited Adrian to permit him to invade Ireland, to subjugate the country, and to reduce to the faith and to the way of truth its less than human inhabitants. To this uncourteous letter, so far as it described the Irish, Adrian, their self-chosen lord, sent the celebrated reply. He congratulates Henry on his desire to honour the Church, instruct the ignorant, and take counsel of Rome; and

assures him, that such virtue must command success. He then proceeds to say, ‘You have signified to us, dear son in the faith, your desire to subdue Ireland and its people to Christian laws; and to render from each house the annual penny to St. Peter; and that you will maintain the rights of the Church unaltered. We approve of your design. We grant your petition. That you may accomplish your great objects, invade the island, and execute there whatever pertains to the glory of God, and the salvation of the people; we grant that the people of the land receive and venerate you as their lord.’ Adrian then proceeds to give the reason for his thus assuming to give away the island of Ireland to his petitioner. ‘It is indeed true,’ he says, ‘that all islands which are illuminated by Christ the Sun of righteousness are a portion of the patrimony of St. Peter, and the holy Roman Church, which law your excellency recognises. Go on then. Study to improve the nation. Labour both by yourself and others who are qualified for the office, in faith, word, and deed, that the Church may be there honoured, and the religion of Christ planted and extended. Whatever pertains to the honour of God, and the good of souls, let it be so ordered that you obtain reward in heaven, and imperishable renown upon earth.’ Such is the substance of the Bull of Adrian, which has been the charter of the English possession of Ireland. Fourteen years elapsed before the king acted upon its assumptions. The real meaning of the usurping pontiff, who thus suddenly after his elevation to the holy see presumed to command the Irish nation to transfer their allegiance, and to submit implicitly to a new sovereign, has remained enveloped in much mystery. The appeal of the king of England to

Adrian to exercise the unhallowed power of subjugating to him a peaceable and friendly nation, over whom he had never before pretended to exercise any jurisdiction, was a circumstance so unheard of, as to seem too dishonest to succeed unless craftily managed. The bargain, novel as it was, from the barefaced manner in which the king asks the favour and the pope grants it, has the appearance of having been transacted on both sides as though it were nothing new. The popes now claimed by the newly-published canon law, as well as by the old decretals, a superiority over kings. This act of the English king in asking for Ireland as a gift from the pope, and the act of the pope in making the present, are instances calculated strongly to confirm the doctrine of the decretal and canon law as to the papal supremacy. Henry, on his part, fully acknowledged, by his appeal, the superiority of the pope to the king ; yet his own crown, by the same law, was placed at the disposal of Adrian, and the authority thus usurped was subsequently exercised upon his son John. Adrian boldly asserts his right to all isles of the ocean, far and near, wherever the Christian faith had spread, and insists that the king himself is aware that they belong to him, and are at his disposal. Having thus unscrupulously declared himself the sovereign of all islands, he proceeds to declare his motives for putting the king of England in possession of Ireland. Many of his expressions are so obscure that they are almost incomprehensible. Suffice it here to say that, by the cession of Ireland, the dominion and power of Rome was greatly enlarged and strengthened. Few doubted, at the time, that the bishop of Rome was empowered to act as Adrian had done ; and let us hope that the words of the Bull

which served as the deed of gift may be prophetic of the day when the monarchs of England may be honoured as the dispensers of a better form of Christianity than that professed by Adrian,—the Christianity of their fathers before the corruptions of Rome began, when Ireland was the island of saints in the west,—the Christianity of a scriptural creed which they have so long rejected, because they hated the hands by which the book of life was opened to them, and the lips by which the truth of God was spoken to them.”\*

A. D. 1159.  
Alexander  
III.  
and  
Victor IV.  
(rivals).

After the death of Adrian, in 1159, the emperor could not remain indifferent as to the election of his successor; but, from the mode of his interference, it is manifest that he felt himself unable to assert the ancient right of other emperors in this matter. He had found means to enlist on his side a party in Rome, consisting of some of the nobility and people, which, as the result proved, was far stronger than the papal-Norman party in that city. But he could do no more than effect the election of an antipope, Victor IV., in opposition to the election of Alexander III. by the Norman party in the college of Cardinals,—avoiding all appearance of meddling in the affair. The emperor did not immediately declare for Victor; but probably thought that, as the popes had excommunicated each other, the decision ought to be referred to the universal Church, and that, according to the example of former emperors, he ought to convene a council before which the causes of both should be tried. He accordingly summoned a council to meet at Pavia, and wrote to Alexander (whom he styled only chancellor Roland), enjoining him in the name of God and the whole Church to

\* Townsend, Eccl. and Civil History, book iii. chap. 6.

attend, and to submit to the decision of this council. He wrote also to Victor (Octavian) ; but it does not appear to be true (as some affirm) that he styled him pope. Still, Alexander felt that the influence of the emperor would be against him, and he refused to obey the imperial summons, answering in the style of a pope, and expressing his astonishment that the emperor did not pay him proper respect. Notwithstanding the resistance of Alexander, the council was held at Pavia, A.D. 1160, and Victor was present. Here the emperor, in the first place, admonished the assembled bishops to commend the cause of the Catholic Church to God by fasting and prayer, in which he joined with them. He then declared that, although he knew that, as emperor, he had the right to convene councils, according to the practice of his predecessors from Constantine to Otho, yet he would leave the decision of the present most important affair to themselves alone, since in Divine things they were his judges, and could themselves be judged only by God. He, therefore, quitted the assembly, and the examination of the disputed election was carried on during a space of seven days. The council declared in favour of Octavian (Victor IV.), and condemned Roland. This decision was immediately ratified by the emperor, who now paid all marks of respect to Victor as pope, including that of holding his stirrup. In his letter to the German bishops announcing this decision, the emperor plainly declared that the cardinals who had elected Roland had conspired with William, king of Sicily, and the rebellious Lombards, against the imperial authority. The council, in its circular epistle, explained the grounds of their decision yet more fully ; and this epistle was

subscribed not only by the German and Italian bishops, but also by some French prelates, with a declaration to the effect that the kings of England, Hungary, Bohemia, and Denmark concurred. The emperor exerted his authority for the acknowledgment of Victor throughout his German and Italian dominions; and several of the clergy, especially all the Cistercian monks, who refused to acknowledge him, were obliged to quit the country. In a council at Lodi, A.D. 1161, Victor caused the acts of the Council of Pavia to be confirmed, and the refractory Italian bishops were deposed or excommunicated. Alexander was no longer safe in Italy; and in 1162 he retired to France. Here he was well entertained; he gained over to his interest the kings of France, England, Spain, and most other countries of Western Europe; and his rival was condemned in several councils.

In 1164 Victor died at Lucca; the cardinals of his party elected Guido, bishop of Crema, who took the title of Paschal III., and was confirmed by the emperor. In the same year, however, Alexander was recalled from France by the Romans; and his honourable reception at Rome, with the good-will of the larger Italian towns, and the prospect of support from William of Sicily and the Greek emperor Manuel against the Roman emperor, gave him an advantage over his rival. The emperor, however, supported Paschal with the greater zeal; and with this view convened an imperial diet at Wurzburg in 1166, when he caused all the bishops and temporal estates of his dominions to bind themselves by oath to obedience to him, and to declare that even in case of his death they would not recognise Alexander III.

(A.D. 1164.  
Paschal III.  
in place of  
Victor IV.)



In 1166, the presence of the emperor in Italy being required to suppress an insurrection of the Lombards, he advanced to Rome, whence Alexander again fled, in the garb of a pilgrim, to seek refuge with the Normans. The emperor, having been successful in an engagement with the Romans, obtained possession of the city, and was crowned in St. Peter's by Paschal. At this juncture a pestilence made great ravages in the army of the emperor, and obliged him to return towards Germany; whereupon the allied cities of Italy raised the standard of rebellion, shut up the emperor in Pavia, and compelled him to find safety only in a precipitate flight. By this circumstance the spirits of Alexander and his party were raised; and in 1167, having recovered his power in Rome, Alexander again excommunicated Frederic, deposed him, and absolved his subjects from their oath of allegiance.

The death of Paschal III., in 1168, was in favour of Alexander; and,—although the partisans of the former elected a successor, under the title of Calixtus III., who was also confirmed by the emperor,—yet this new pontiff never attained any considerable influence.

(A.D. 1168.  
Calixtus  
III.  
in place of  
Paschal  
III.)

During this period the papal see had been gaining more power in other countries, especially in France and England, than it had lost in Germany. To this result the dispute of Henry II. of England with his archbishop of Canterbury, Thomas à-Becket, largely contributed. The history of this memorable affair is as follows:—

The archbishop having manifested a desire to maintain the system of clerical immunities even in case of flagrant breaches of the civil laws, and to make the

Church altogether independent of the State, Henry demanded that all the English bishops should bind themselves by oath to submit to the ancient usages of the realm concerning the relations between Church and State. In 1164, an assembly of the lords spiritual and temporal was held at Clarendon, at which these usages, settling all limits of ecclesiastical and civil jurisdiction, were set forth in sixteen Constitutions, and embodied in a written law;—a most necessary measure, since Becket had betrayed, by his proceedings, a desire to supersede the ancient customs by a new practice in favour of the Church.

The first of these Constitutions provided that every suit which should arise between clergy and laity, or even between ecclesiastics themselves, concerning questions of patronage or the right of presentation to an ecclesiastical office, should be decided only by the king, or in the king's courts.—By the third, it was enacted that every ecclesiastic charged with a civil offence should be bound to appear before the civil courts; and that a convicted criminal should not in any case be protected by the Church. (Becket had refused to deliver up to the civil court an ecclesiastic who had committed murder, and had insisted upon his being confined in a monastery.)—According to the fourth, no archbishop or bishop was permitted to travel out of the country without the king's permission; and it was enacted that, if required so to do, he should give a pledge that during his absence he would undertake nothing to the detriment of the sovereign of the realm.—The seventh required that no archbishop or bishop should presume to pronounce a sentence of excommunication or an interdict against any vassal or officer of the king, without having pre-

viously shown cause for so doing to the king himself. —According to the eighth, all spiritual causes were to be referred to the decision of the archdeacon in the first instance, from whom an appeal lay to the bishop, from the bishop to the archbishop, and in the last instance from the archbishop to the king; but could never be carried beyond the king without his consent. —The twelfth enacted that all revenues of vacant sees and abbeys should belong to the king, who, however, in due time should take care for the proper filling up of the vacant place, by summoning the parties entitled to elect; it being also provided that the newly-elected party should immediately take the oath of allegiance. —It was moreover enacted that all archbishops and bishops should hold their possessions as a fief of the crown, and, like all other barons, should submit to the decisions of the king's courts, and perform all other duties of vassals.

These laws were clearly made with a view to restrict the power and pretensions of the clergy and the Church; but the English clergy were not yet in a condition effectually to protest against them. By long usage, these regulations had already attained the force of law in England; and the principles on which they were founded had been fully recognised in all courts. It could not be pretended, therefore, that such laws were unconstitutional; and even Becket himself appears not to have withheld his sanction from these enactments. Great was the surprise, therefore, of the king and the assembly when Becket came forward with a protest against the proceedings which had taken place; and so urgent was the entreaty of the prelates, and so formidable the displeasure of the king, in whose power Becket then was, that he

consented to withdraw this protest, and to subscribe the Constitutions, binding himself at the same time with an oath to the observance of them, and that not only without the clause "*salvo ordine suo*," but with the addition of "*bonà fide*." No sooner, however, had Becket quitted the assembly, and found himself under the protection of the people, than he declared his regret at the step which he had been compelled to take, appearing publicly in the habit of a penitent, and declaring that he regarded himself as disqualified from performing any of the duties of his office until he should have received absolution, and have been released from the obligation of his oath by the pope, to whom he had accused himself as a cowardly betrayer of the Church and its rights. He now no longer yielded to the menaces of the king; but, having been pronounced guilty of perjury and treason by a council held at Northampton (A.D. 1164), and finding himself in danger of personal violence or constraint, he secretly fled (in contravention of the fourth article of the Constitutions) to France, where he could well calculate upon the protection of the pope, Alexander III., who was then in that country, and of the king of France, Louis VII., who was engaged in war with Henry. In France he not only obtained that royal protection which he had hoped for, but he found in the pope a more zealous supporter than he had expected. Great as might have been the inducement to Alexander, at that time an exile in France, to spare a sovereign whom the emperor was earnestly seeking to enlist on the side of the anti-pope, still he did not for a moment hesitate to espouse the cause of the archbishop. He wrote to Henry, saying that he had not been able even to hear without horror some of the impious

enactments which had been made at Clarendon;\* and not only admonished him to receive back his archbishop with respect, and to abstain from all attacks upon his rights in future, but even threatened to send Becket back to England armed with the dignity and power of a papal legate. This conduct of the pope was by no means so rash and hazardous as it might at first seem to have been. Alexander knew well that Henry was afraid of the English people, who were enthusiastically devoted to Becket and his cause, and that the king could not but dread the effect of a sentence of excommunication pronounced against himself, and an interdict laid upon the realm. He had, therefore, good reason to hope that Henry would thus be deterred from extreme measures; and his hope was completely realised.

The first measure adopted by the king upon the flight of the archbishop betrayed his desire for an amicable settlement of the dispute. He confiscated the property and revenues of the deserted see; but he gave orders that these effects should be carefully preserved, and at the same time despatched ambassadors to the pope, requesting him to send two legates into England, who should decide the controversy between himself and the archbishop. Exasperated at the refusal of the pope, who reserved to himself the examination of the matter, and by the demands which he made, Henry immediately adopted some strong measures of intimidation. He banished all the relatives of Becket from the kingdom, with his friends and attendants, to the number of four hundred persons. He confiscated the revenues of all the clergy who adhered to his party. He issued an order that

\* Baron, ad an. 1164, n. 27—30.

all persons who should come into the kingdom with letters from the pope or the archbishop should be taken into custody and treated as traitors.\* He forbade all appeals to the pope, under the barbarous penalty of the loss of eyes in the case of a secular ecclesiastic, and loss of feet in the case of a monk. He prohibited the sending of money out of the country to Rome, and the payment of Peter's pence. Soon, however, he found it advisable to make advances for a reconciliation with the pope, well knowing that this quarrel, even if not positively dangerous in itself, was yet highly injurious to his interests while he was embroiled with France. The archbishop had already excommunicated the bishops of Oxford and five barons; and had threatened to proceed to the same length against the king himself. The king now, therefore, applied once more to the pope, who had returned to Italy; and made such strong representations that they could no longer be resisted. Alexander complied with his wishes, and appointed two cardinals to go to England as his legates, and there decide the dispute. At the same time he forbade the archbishop to adopt any further proceedings against the king or any of his nobility, and gave power to his legates to take off every sentence of excommunication which had been imposed in this matter.† The king at the same time promised to submit to the decision of the legates; and undertook to revoke the Constitutions of Clarendon, as soon as it could be proved that he had therein claimed any other or greater power over the Church than such as had been always exercised by the English sovereigns.

\* Baron. ad an. 1164, n. 42.

† Ibid., 1167, n. 55—58.

Some have supposed that other means, besides entreaties (money and presents), were employed at Rome on behalf of Henry in order to obtain the pope's consent to these terms. And it is probable that Alexander gave secret instructions to his legates, by which a provision was made for deceiving Henry. But, if so, the plans of both parties alike were frustrated by the obstinacy of Becket. He declared that any agreement or compact which could be made with the king concerning the Constitutions would be no less than high treason against the rights of the Church, and gave the pope to understand that he had already acted a treacherous part in manifesting a willingness to treat with the king. He therefore protested, by anticipation, against everything which the legates might do; but, at the same time, he took care to prevent them from accomplishing anything, by persuading the king of France not to grant them a passage through his dominions on their way to Henry, who was then in Normandy.\* The legates met Henry, however, near Maine. When they desired to treat with Becket himself, he resolutely refused to consent to such a proposal, until all the revenues and rights of his see should have been restored to him; and he maintained this determination so firmly that at length Henry was obliged to yield the point. Now, however, it became manifest that the haughty prelate would not be satisfied with anything short of revenge for the injustice which he professed to have suffered; and it was this which paved the way for the catastrophe that was so disastrous at once to the primate himself and to his sovereign. Attempts at

\* See *Relatio Legatorum*, ap. Baron. an. 1168, n. 23—25 and 45—47.

adjustment were made in 1168 and 1169, and in the last-mentioned year even a personal interview took place, but all in vain.\*

In 1170, Henry, weary of the strife, offered the archbishop reconciliation on his own terms. At a personal interview, it was agreed that the king should restore to Becket all the property and revenues of his see, without requiring him to swear again to the Constitutions of Clarendon. It was also agreed that a new council should be held concerning the points in dispute, but no promise was exacted from Becket that he would submit to its decision, nor was it likely that he would do so; perhaps the archbishop so far reckoned upon the weakness of the king as to believe that no such assembly would be convened. And now, while Henry was still absent in Normandy, Becket hastened into England, with a view to set the whole kingdom in a blaze. He began by excommunicating the archbishop of York, and the majority of the other bishops who had espoused the cause of the king. This measure created a ferment in the popular mind; and of this the archbishop took advantage so as to turn it to further account in his favour, preaching vehemently the duty of resistance to all tyrants and oppressors of the Church. Henry, enraged by these proceedings, having given utterance to an impassioned wish that he could be delivered from this troublesome priest, the expression was caught at by some of the courtiers at that time in his presence, who hastened to Canterbury, and fulfilled the king's wish, according to their apprehension of its meaning, by the murder of the archbishop. Such, at least, is the account of this event, as it is given by those

\* Baron. ad an. 1169. n. 11-16, 23-26, 32-36.



historians who regard the murdered Becket as a martyr. It can hardly be supposed that Henry really designed the act of violence which was thus perpetrated in supposed compliance with his desire; for, even if restrained by no higher motives, he must have foreseen that it would have the effect of throwing his whole kingdom into a state of rebellion, as soon as the pope should give a signal to that effect by an interdict, or by pronouncing sentence of deposition against himself. The king was, indeed, alarmed at the result which had taken place; and, without delay, he sent an embassy to the pope, declaring himself ready to submit to any penance which he should inflict, and to comply with whatever demands he might make. By this humble tone of submission, and perhaps by other means also, he obtained from the pope, or from the papal legates, by whom the matter was decided in 1172, more favourable terms than perhaps he could have ventured to anticipate. Beyond an act of penance which he was to undergo for the unintentionally-occasioned murder of the archbishop,—a penance which he might have compounded for by the payment to the Templars of a sum of money sufficient to support two hundred knights for one year,\*—no sacrifice was demanded from him which tended to impair his royal dignity. He was only obliged to promise that he would relinquish, not the ancient usages of the realm, but such customs detrimental to the interests of the Church as had been introduced during his reign, and that he would grant full liberty of appeal to Rome; on condition, however, that if suspicion attached to any of the appellants they should give security to the effect that they did not

\* *Juramentum Regis Angliei, Baron. ad an. 1172, n. 5.*

design anything injurious to the king or to the realm, —a provision which rendered the licence comparatively harmless.

The pope had in this way obtained a triumph which greatly contributed to enhance his influence throughout Europe. A king had been compelled to humble himself before him, in the sight of the whole world; and this was matter of incalculable importance in its bearing upon the systematic attempts now being made to establish the superior relations of the papacy to all temporal sovereignties whatsoever.

A triumph over the emperor, which speedily ensued, was still more flattering and welcome to the pope than even the signal advantage which he had gained over the king of England. Frederic found it advisable to effect a reconciliation with Alexander; and in 1170 he sent to him the bishop of Bamberg with proposals. These, however, were not accepted by the pontiff; and in 1174 the emperor found himself obliged to undertake a new expedition into Italy. Here he sustained a serious defeat from the Lombard confederates, in 1176; and he now found himself obliged to make peace with the pope and his allies, William of Sicily and the Lombardo-Italian towns. This peace was concluded, on the pope's own terms, in 1177. The emperor engaged to recognise Alexander as pope, to receive absolution at his hands, and to disclaim the anti-pope,—to restore to the pontiff the government of the city of Rome, and whatever else had been taken from the Roman Church,—to retain the estates of Matilda only fifteen years, and then to institute a judicial inquiry concerning the future possession of this property, and all other subjects of dispute which,

before the time of Adrian, had arisen between the emperor and the pope. With the king of Sicily the emperor concluded a peace for fifteen years, and with the Lombards for six years.

The victory which Alexander had gained over Frederic was complete, and he well knew how to turn it to good account. The anti-pope, Calixtus III., threw himself at his feet, and was well received. In 1178, Alexander held a large council in the Lateran, attended by nearly three hundred prelates, usually reckoned as the third General Lateran Council.\* Here it was decreed, in order to avoid future schism, that the pontiff chosen by three-fourths of the cardinals should be deemed duly elected; and it was ordained that any one who should assume the papal title and office on account of having been elected by one-third should be excommunicated.

In 1180, Alexander threatened William, king of Scotland, with excommunication, and his kingdom with an interdict, in case of his refusing to put a certain bishop into peaceable possession of his dignity; and this threat was fulfilled. It may be added that this pontiff confirmed to Alphonso I. the title of king of Portugal, which had been granted by Innocent II. in 1142, but had been contested by the kings of Castile so sharply that even the successors of Innocent had addressed Alphonso only by the title of duke. Alexander only imposed the condition originally demanded by Innocent, namely, the payment of two marks of gold.

The power which had now accrued to the papacy, as a system of spiritual dominion, revealed itself very strikingly under the immediate successors of Alex-

\* Conc. Lateran. 3, A. D. 1178.

ander, and especially during their renewed struggle with the emperor. Aided by favourable circumstances and by his own skill, Frederic was able to render opposition on the part of the popes exceedingly difficult. They now found themselves engaged single-handed in a struggle against the empire; and they were obliged to counteract various unfavourable and adverse circumstances which unexpectedly occurred. What was still worse, few of them possessed the spirit or abilities of Alexander. Still, however, they not only maintained this conflict, but, at the end of another century, throughout which the struggle lasted, the lustre of the imperial crown had greatly paled before the superior splendour of the tiara.

A. D. 1181.  
Lucius III.

Lucius III., the immediate successor of Alexander, was highly unpopular with the Romans. Having been obliged to quit Rome, he met the emperor at Verona, endeavouring to obtain his support. But the emperor had now come to a good understanding with the Lombard cities, to which he had accorded more than ever the constitution of free states. He had, also, married his eldest son to the daughter of Roger, maternal aunt of the reigning king of Sicily, William; and, as William had no heir, he had thus obtained a prospect of uniting the kingdom of Sicily to the imperial crown. In this way, the papacy had lost the support of two powers from which it had derived considerable assistance in the course of its former struggle with the empire. Henceforward, therefore, it became a great object with the popes to prevent the union of Sicily with the empire, or to destroy any such union as soon as possible. From this moment all their efforts were directed to this point, which formed the

leading object of all their public and private enterprises. And they succeeded in the attempt at last; but it cost them incredible efforts, and the application of means which they alone were in a position to employ.

At Verona, several occasions of dispute arose between the emperor and Lucius, in which the emperor showed no disposition to yield to the pope. Here Lucius died, in the midst of these disputes; and the cardinals who were with him, having retired to Ravenna, elected as his successor Uberto Crivelli, archbishop of Milan, who took the name of Urban III., retaining his archbishopric. Under him the disputes with the emperor came to an open rupture, especially in connection with the claims of both parties consequent upon the disputed election of an archbishop of Treves; and the prelates divided on either side. Urban died in 1187, at Ferrara; his death being said to have been caused or hastened by the reverses of the Christians in Palestine.

A. D. 1185.  
Urban III.

His successor, Gregory VIII., was disposed to be on good terms with the emperor; but, after having distinguished himself by his zeal in promoting a crusade for the recovery of Jerusalem, he died in December of the same year, 1187.

A. D. 1187.  
Gregory  
VIII.

Clement III., who succeeded him, strenuously promoted the crusade;—a movement which, of itself, and especially in its results, tended most unexpectedly to avert the blow so much dreaded from the policy and arms of Frederic. Frederic himself forgot his controversy with the pope, and went to Asia with a large army in 1189; where he met his death in 1191. The kings of France and England had

A. D. 1187.  
Clement  
III.

joined this crusade. Clement made a compact with the Romans in 1188, by which he settled the differences that had existed for fifty years between that people and the papal see, and thus made one great step towards the full possession of Rome by the pontiffs.

The death of William II., king of Sicily, in 1189, appeared to promise great advantages to the imperial house, William having given his father's sister Constantia in marriage to Henry, the emperor's eldest son, having also declared her his heiress, and having caused her, with her husband, to receive homage in a general assembly. But the Sicilians were unwilling to submit to foreign rule. Henry was at a distance ; the pope was not well pleased that such decisive measures had been adopted with regard to the Sicilian succession without his approbation ; and least of all did he desire to see the succession pass to the Suabian house, and to a prince so hostile to the papacy as the young king Henry. Some of the Sicilian nobles having successfully declared in favour of Tancred, a natural son of Roger, duke of Apulia, who was the eldest son of Roger, first king of Sicily, he was crowned in the beginning of 1190, and invested with the kingdom by Clement, notwithstanding that Tancred had taken the oath of allegiance to Constantia.

A. D. 1191.  
Celestin  
III.

It seemed as if the possibility of deliverance from the most formidable danger which threatened the papacy had only appeared like a vision to Clement III., in order to make his successor Celestin III. the more powerfully sensible of the greatness and nearness of the impending ruin. Henry VI., who succeeded to the empire after the death of his father Frederic,

hastened to Italy in 1191, when he compelled the pope to crown him. After the death of Tancred in 1193, his heir, who was but a minor, being unable to continue the struggle with the emperor, Henry caused himself to be crowned king of Sicily without asking the pope's consent; nor could the pope restrain him from harsh measures towards the adherents of the late king, and others who opposed his pretensions. On the whole, Henry VI., during his short reign, was more formidable to the pope than his father had been. He forbade appeals to Rome throughout Italy, under penalty of imprisonment; and he maintained his right of deciding in cases of disputed election to bishoprics. This emperor, however, died in the prime of manhood, in 1197, at Messina in Sicily. Celestin died in 1198. This premature death of the emperor, coinciding as it did with the decease of an aged and feeble pontiff, effected a deliverance of the papal see from one of the most critical situations in which it had ever been placed.

The papal throne was now ascended by a man only thirty-seven years of age, to whose election several of the cardinals objected on account of his youth. This was the deacon Lothaire, a native of Anagni, son of the count of Segni, who took the title of Innocent III. He had studied theology and philosophy at Rome, Paris, and Bologna, and had publicly taught the sciences. He possessed all the qualities suitable to his new dignity, uniting the boldness of Gregory VII. with the statesmanship of Alexander III.; and he came to the papal chair at a time most favourable for advancing the interests and establishing the supremacy of the papacy. Henry VI., notwithstanding the extent of his own influence in Italy, had left his

A. D. 1198.  
Innocent  
III.

imperial house in such weakness as to require support even from the pope, to whom it was obnoxious. His only son Frederic, a child only four years old, was with his mother Constantia in Sicily; where he was acknowledged king in 1197, his mother being appointed regent. But Frederic possessed in Sicily little more than the name of king; in Germany, from which he was absent, he had no weight; and, in short, he was altogether at the mercy of Innocent.

The new pontiff was well aware of his advantageous position. On the day after his consecration he compelled the prefect of Rome to swear fealty to himself instead of the emperor, and invested him with a mantle in token of his authority and office. Innocent thus took away even the last remnant of the imperial sovereignty over Rome;\* and the change was the more remarkable inasmuch as Henry had thoroughly maintained his ascendancy in Italy to the day of his death. At the same time, the pope required and received the submission of numerous cities and fortresses in Italy, now weary of the German yoke. In short, it was Innocent, properly speaking, who firmly established the papal sovereignty over Rome and central Italy, or the so-called States of the Church. If all his efforts had succeeded, he would now have reduced the greater part of Italy under his sovereign sway. But he met with a check in the exarchate of Ravenna, and concerning the Matildine estates. The Tuscan states entered into a confederacy for mutual protection against imperial

\* "Spiro qui l'ultimo fiato l'autorità degli Augusti in Roma," Muratori, *Annal.* A. D. 1198 (quoted by Mr. Hussey).—Muratori adds, "E da li inauzi i Prefetti di Roma, il senato, et gli altri magistrati giurarono fedeltà al solo Romano Pontefice."



oppression, but yet acknowledging the supremacy of the emperor. They at the same time bound themselves to support the papal see, and not to acknowledge as emperor any prince who was not approved by the pope. Innocent strongly impressed upon them the idea that there were two great lights in the social heaven, having their seat in Italy, the lesser of which, the imperial authority, received its light from the greater, the papal see.

Opportunities abundantly presented themselves to Innocent for the exercise of his talents and the employment of his enterprising spirit. He maintained successfully the privileges of the Roman see against the kings of France, Spain, and Norway; and throughout his pontificate he turned to good account the spirit of the crusades. From Sicily he not only obtained an advance upon the tribute formerly paid, and compelled Constantia to return some of the most important privileges in ecclesiastical matters which had been conceded to the Norman princes; but eventually, before the death of the empress, he prevailed on her to appoint him by her will regent of the kingdom during the minority of Frederic. He thus had all Sicily entirely in his hands. At the same time it suited the policy of the court of Rome that the kingdom of Sicily and the empire should not be united under the same head; and, although the young Frederic had been lawfully elected emperor of Germany, and had a clear right to the dignity after the death of his father, yet Innocent willingly took part in measures which were adopted for keeping him from the imperial throne. The electors of Germany refused to regard the oath which they had taken to Henry in favour of his son, affirming that they were

not bound to fulfil it, inasmuch as Frederic was not baptized at the time of their taking it, and so not numbered among the faithful. Two competitors for the imperial throne now appeared in Germany, Philip of Suabia, Frederic's uncle (brother of Henry VI.), and Otho, son of Henry the Lion, formerly duke of Saxony and Bavaria. Innocent determined to take advantage of this state of affairs to compel the nobles of Germany to retract the position which they had so haughtily taken against his predecessor Adrian III., when they affirmed that the pope had nothing to do with the election of their king, his duty being only to crown him after he had been elected.\* Accordingly, he insisted on the principle, not that the right of nominating the emperor belonged in the first instance to the pope, but that it devolved on him in case of the electors failing to perform their duty; and, to a certain extent, he succeeded in his design. The partisans of Philip published indeed a manifesto in the form of a letter to the pope, containing strong protestations against his proceedings.† They declared it to be an unheard-of thing, that a pope should interfere in the election of their king, maintaining that the right of electing him had descended to them from their forefathers; and hence they described it as unnatural and inconceivable that he should attempt to give to his declaration in favour of Otho the appearance of a judicial decision.‡ The pontiff, in his reply, showed that they could not but allow a pope some right in interfering in the election, and supported his claims by arguments which did not at that time admit of an easy answer, contending that the office of the pope in crowning the

\* *Deliberatio Domini Papæ, &c.*, Raynald, an. 1200, n. 27, *seq.*

† Raynald, an. 1203, n. 20, f. g.

‡ *Ibid.*, an. 1201, n. 23.

emperor implied a previous examination and approval. This remarkable document was afterwards embodied in the Decretal laws.\*

In 1203, Philip applied a second time to the pope, offering to purchase his support upon terms which would exalt the papacy to the highest pitch of influence and power.† He proposed to secure to the Roman see all property and possessions which it had ever claimed or could claim; to abolish all abuses with reference to things spiritual which had ever been committed by the emperor and complained of by the pope; to enact a law that every person excommunicated by the pope should be immediately under the ban of the empire; to take the first opportunity of bringing the Greek church into subjection to that of Rome; and to give his daughter in marriage to a nephew of the pope, as soon as the pope should have confirmed him in the empire. Conditions such as these had never before been offered to a Roman pontiff; and the very offer was of great importance to the papacy, even if not one of these conditions should ever be fulfilled. Innocent, still waiting, however, to see if he could not obtain conditions equally advantageous from Otho, made preparations for an agreement with Philip as soon as the fit time should come. He published assurances of his desire to contribute to the restoration of peace; and afterwards he sent legates to urge both parties to a truce, and to grant Philip absolution,‡ in order that the pope might be able to treat with him consistently with his dignity. In 1207, a truce for one year was actually concluded; and, at the end of this time, Innocent would certainly have

\* Lib. i. tit. 6, De Electione et Electi Potestate.

† Raynald. an. 1203, n. 28, &c.

‡ Ibid., an. 1207, n. 7.

declared in favour of Philip, who was now decidedly the strongest, had not his death intervened. But Philip was assassinated by Otho of Wittelsbach, at Bamberg, in 1208; and by this event several plans which Innocent had formed were completely frustrated.

The pope could not now do otherwise than adhere to Otho; and he could the more easily profess adherence inasmuch as there had been no open rupture between them. Otho, however, had been fully aware of the nature and tendency of Innocent's negotiations with Philip, and had determined to make him suffer for his faithlessness; although at the same time, knowing that the influence of the pope was still needful in order to secure him on the throne, he prolonged his expressions of humble devotion to the Roman see. Innocent now invited him to come into Italy, in order to receive the imperial crown. At Viterbo, where Innocent met him, he swore to a capitulation, containing promises of obedience to the holy see, non-interference in the elections of bishops and abbots, and large grants of territory.\* But no sooner had the emperor been crowned† than he began to assume a different tone and attitude. Some disturbances which had taken place at Rome occasioned the pope to make the offensive request that the emperor should withdraw his army from the city and territory of Rome on the day after his coronation. Otho immediately complied with this request; but on his return he took possession of the castles and fortresses which the pope had recently annexed to the patrimony of St. Peter, expelled their garrisons, and took care that they should never fall into his hands again. At the

\* Raynald. an. 1209, n. 10—12, 161.

† Sept. 29, 1209.

same time he bestowed upon one of his relatives the march of Ancona, gave to another German noble the duchy of Spoleto, and took out of the hands of the pope several portions of the inheritance of Matilda; and when the pope, through the archbishop of Pisa, reminded him of his promises, he returned a scornful answer. Exasperated by these proceedings, Innocent now fulminated a sevenfold bull of excommunication against the emperor, and determined not to rest satisfied until he should have hurled him from the throne. For this purpose he resolved to bring forward that very Frederic of Sicily whom he had excluded from the throne for the sake of Otho; and sent emissaries into Germany with a view to stir up the people in his favour. During the emperor's absence from his dominions, the success of this mission was easy and extensive. The archbishops of Mayence and of Treves, the king of Bohemia, and the duke of Bavaria, were first gained over to the side of Frederic, and concluded an alliance in his favour, to which afterwards several other states of the empire acceded; and, in 1212, the pope had so far attained his object that Otho found himself compelled to quit Italy in order to encounter the storm which had gathered against him in Germany. Innocent, however, did not live to witness the complete overthrow of this enemy; he died before the period in which Otho was reduced to his greatest extremity.

Many were the occasions on which this pontiff had the gratification of humbling temporal princes. He made himself formidable to the kings of Spain and Portugal, and to some of the northern sovereigns. He compelled even the brave and resolute Philip Augustus of France to an unconditional submission

in a matter in which his predecessors had vainly endeavoured to cope with him, by compelling him to take back his queen, whom he had put away, after having been divorced from her by the bishops of France several years previously (in 1193).

The victory which he obtained over king John in England was, however, the most complete of all, and the most expressive of his own spirit and design, as well as indicative of those ideas of the papacy which were mixed up with the spirit of the age. In 1205, Innocent was called upon to decide a controversy respecting the election of a new archbishop of Canterbury. The monks who formed the archiepiscopal chapter had made a double election : but they revoked the first, which they had secretly made without consent of the king ; and the second, which was regularly made, was quite unanimous. This latter had received the royal ratification without any undue influence having been exercised on the part of the king, and the archbishop elect had been already installed in his office ; but yet the king suffered the chapter and the new archbishop to be involved in a process at the court of Rome, at the instance of the party who had received the first election. This was to concede to the pope more than had been granted by any king of England during the last century ; and it gave occasion to an unparalleled act of papal insolence. After a suit which lasted two years, the pope annulled both elections,—a proceeding which, perhaps, was regular ; and he declared at the same time both candidates incapable of re-election,—another step which, perhaps, could still be justified. But, instead of awaiting a new election in England, Innocent compelled the deputies of the chapter, who were then at Rome for the pur-

pose of conducting the suit, without conference with their brethren, to elect as their archbishop his own nominee in the person of cardinal Stephen Langton. And this he did notwithstanding that the king had received an oath from these fourteen monks, before they left England, to the effect that they would in no case elect any other than the bishop of Norwich, the candidate whom they had chosen at the second election. The king wrote to the pope, protesting against the enormity of this proceeding, and declaring that he was ready to lay down his life in defence of those rights of his crown which had thus been grossly insulted and attacked. He also took measures, even more than necessary, for preventing the new archbishop from entering his kingdom and taking possession of the see, by occupying Canterbury with his troops, dispersing the members of the chapter, and confiscating the cathedral property. With haughty coolness, as of one conscious of his own power, Innocent sent a long reply, warning the king of the evil consequences of a continued opposition, and then endeavouring to prove the legality of his proceeding in consecrating the new archbishop. He likewise transmitted a charge to the bishops of London, Ely, and Worcester, to admonish the king to submit; and when John received their interference with marks of indignation, and even threatened them with personal violence, they proceeded, in compliance with their instructions, to lay the whole kingdom under an interdict, in the name of the pope.\* This sentence having taken effect, by the compliance of the clergy throughout England, the king, exceedingly enraged, proceeded to the greatest excesses. He expelled all the bishops from

\* March, 1208.

his kingdom, and threw their relatives into prison, while he outlawed the clergy and confiscated their property. At the same time he caused a fresh act of homage to be paid to him by his subjects, secured the support of the temporal barons, and thus seemed well prepared to withstand any opposition which the pope might offer. For the space of two years Divine service was suspended throughout the kingdom, with little or no protest or disturbance on the part of the people. The clergy, as a body, were determined to sacrifice their own interests for the welfare of the Church, with the resolution of men firmly convinced that the cause in which they were engaged was no other than the cause of God. Of all the bishops only seven had declared on the side of the king; the others were either wandering about with their clergy in a state of destitution, or were silently suffering in close concealment. These were the instruments with which the pope could work, and the possession of such instruments was the great circumstance in his favour. He now determined to pronounce sentence of excommunication against the king; but then it was needful that some one should publish this sentence in England, and it was hard to find any one to execute a task which would surely expose him to the most cruel and unbounded rage of the monarch. For some time, therefore, there was no more than a rumour concerning this sentence against John. At length, however, Godfrey, archdeacon of Norwich, who held a civil office under the crown, declared that he could no longer conscientiously serve the king, who lay under the ban of the Church, and he resigned his post. Still, the sentence did not work the effect which the pope had anticipated. There was no com-



motion among the people, and the nobles now found themselves bound to see that their sovereign should not succumb in his contest with the Church. It was only after the lapse of a year that here and there some symptoms of ill-will appeared among the people, which caused a momentary fear in the mind of John, and disposed him to enter into negotiations for the settlement of the dispute, so as to grant permission for two papal legates to enter the kingdom, after an interview between himself and archbishop Langton at Dover. At this interview, however, Langton insisted that the king should not only concede to him his church, with all its property, and recal all the exiled bishops, but should repair the whole loss which the clergy had sustained in consequence of these proceedings. The negotiations were therefore broken off, and the king, more enraged than ever, determined to persevere in his contest with the papal see. At a meeting of parliament, which took place at Northampton, one of the legates (cardinal Pandulph) had the audacity to tell the king to his face that he was bound to obey the pope, not only in things spiritual but also in things temporal. After this, the king declining to hear anything further from him concerning the papal demands, the cardinal pronounced sentence of excommunication against him, absolved all his subjects from their oath of allegiance, and declared to him, in the name of God, that the kingdom was taken from himself and from his posterity. Afterwards Innocent himself, with great solemnity, pronounced sentence of excommunication and deposition, adding a clause which involved in the same penalty all who should any longer recognise John as king. And not long

after he nominated Philip Augustus, king of France, as the executioner of the sentence thus pronounced, calling upon him to employ all his power to hurl the rebellious John from his throne, with permission to seize upon the crown himself as a reward for his services, and the promise of a full remission of all his sins.

The catastrophe was most astonishing. Among all the princes there was none who understood the rights of his crown, and the rights of the State in general, better than Philip Augustus of France ; none who had a more correct perception of the mischief involved in the existing relations between Church and State, between the temporal and spiritual power ; none who had approached so near to a discovery of the injustice with which these things were attended, or who entertained so lively a conviction of the necessity of setting bounds to the spiritual power. Innocent himself had received proofs of this, and knew that he was concerned to watch every movement of this sovereign most minutely. We can, therefore, at first, hardly understand how he could hope that Philip would suffer himself to be made an instrument in executing a sentence which proclaimed to the whole world that the crowns of all kings were dependent on the will of the pope. But the event proved that the pope knew the man with whom he had to deal.

The king of France undertook to fulfil the task assigned to him, and, in 1213, fitted out a powerful fleet in order to take possession of the promised kingdom. At the same time, there were symptoms of a rising commotion among the English people ; and many of the nobles were already preparing to turn to their

own advantage the necessitous condition to which they saw that the king might speedily be reduced. All these circumstances together so alarmed the weak monarch, who, though violent in his proceedings, was destitute of true courage,—or so convinced him that it would be impossible to escape from his difficulties in an honourable way,—that he did not hesitate to adopt the most unworthy methods of escape. He appealed to the pope with an offer to appease his indignation by making any sacrifice which he should demand. He promised not only to recognise Langton as archbishop unconditionally, and to give the expelled bishops such satisfaction as the pope should require, but declared himself ready also to acknowledge the justice of the sentence of deposition pronounced against himself,—to lay aside all the insignia of regal dignity, in order to receive them back as a free gift from the hands of the pope,—and to hold his kingdom as a fief of the Roman see. Innocent, who saw his designs fully accomplished, did not for a moment hesitate to conclude peace with John on these terms : he commissioned cardinal Pandulph to receive the English crown and to restore it to John ; and afterwards sent a message by the same legate to the king of France, announcing to him that his services were no longer needed by the Church.

After these splendid victories of Innocent, the disgraces which Germany, or the emperor, inflicted on his successor, Honorius III., did not much weaken the papacy, which was now too firmly established to be greatly affected by the measure of respect in which any individual pope was held. Innocent bequeathed to his successor the management of two affairs in which the credit and influence of the Roman

A. D. 1216.  
Honorius  
III.

see were deeply involved;—the one was the maintenance and establishment of Frederic II. on the imperial throne, by which means Sicily might be retained in a state of dependence on the holy see; the other was the raising a new crusade for the relief of the East, where the Christians were in a deplorable condition. Innocent had done much towards the accomplishment of both these objects, and into both of them Honorius entered with great zeal; but he unwisely regarded the latter of the two as first and paramount, and thus failed in both. In order to bring about the crusade, the new pope conducted himself towards the emperor in a manner quite different from that which was dictated by policy, and by his own prejudices. Before the death of Innocent, Frederic had in Germany a party which was able to cope with that of the emperor Otho, but he had not that preponderance which could enable him to dispense with the assistance of the pope; he therefore conducted himself with great prudence towards Innocent,\* seeking to prevent every occasion of his changing his favourable disposition towards himself, and to hinder his becoming aware of the impolicy of such alliance. In 1215 he made a solemn promise to this pontiff that he would abdicate the throne of Sicily in favour of his son Henry, and would intrust the government to him as soon as he should be of sufficient age. He renewed this promise to Honorius; adding also the promise that he would in person lead an army to Palestine, as soon as he should find his power sufficiently secure in Germany. The pope eagerly seized this promise, and rested not until, after

\* See *Sacramentum Frederici II. electi Imperatoris*, Raynald. an. 1213, n. 23 *seq.*

the death of Otho in 1218, Frederic was acknowledged king by all the estates. After this, the pope pressed him to fulfil his promise respecting a crusade, but his application was met by evasion and delay. In 1220, he caused his son to be elected king of the Romans at Frankfort-on-the-Maine, and thus receded from his promise to the pope that Sicily should be disjoined from the imperial crown. To amuse Honorius, Frederic prepared a fleet in Italy, as for the purpose of his promised crusade; and thus the pontiff was induced to recognise Henry as king of the Romans, and to crown Frederic himself emperor (Nov. 22, 1220) with every mark of respect. Frederic had now no longer any occasion to dissemble; and the pope soon perceived that there was no near prospect of the expedition to the East. The very fleet which had been prepared in Italy was employed, contrary to the wishes of the pope, in conveying Frederic to Sicily, with a view to support his royal dignity which had been so much impaired under Innocent. He gave Honorius to understand that, for the future, the bishops of that country must be canonically elected, instead of being merely appointed from Rome; and he even sent back some of the papal nominees,—an act which gave great offence to Honorius, and drew from him bitter complaints.\* Clinging with fond hope to his project of a crusade, Honorius planned the marriage of Frederic with the daughter of John of Brienne, king of Jerusalem, who had come to Italy seeking succour. The marriage took place; but Frederic immediately assumed the title of king of Jerusalem to himself, declaring that he would not conquer the place for any other. Vex-

\* Raynald. an. 1221, n. 31.

ation at this disappointment is supposed to have hastened the end of Honorius, who died in 1227.

A. D. 1227.  
Gregory IX.

In order to repair the damage occasioned by the weakness of Honorius, the cardinals elected a successor who had the spirit of Innocent, Gregory IX. The new pontiff immediately adopted a tone and bearing towards the emperor, altogether different from that of his predecessor. He rightly judged that an open rupture with the emperor was less dangerous to the papacy than a continuance of the present state of things, during which the emperor was steadily acquiring too much power in Italy; and he had courage and spirit enough to act in accordance with this conviction. He found sufficient ground for a rupture in the delay of the crusade. Frederic had solemnly bound himself to Honorius to undertake the expedition in 1226,\* with a provision that, in case of failure to do so, he should fall under the ban of the Church. The term was afterwards prolonged for two years more, but these two years also had expired. Gregory now did not content himself with a simple proclamation and serving of the decree which contained sentence of excommunication against the emperor, but he sent it round to all the courts and kingdoms of Europe; he pronounced it with all solemnity himself, and commanded all bishops in Apulia and Calabria to repeat it on every Sunday and holiday. A circumstance, however, occurred, which might have occasioned perplexity to a pope less prepared than Gregory for such an emergency. Frederic, from motives of self-interest, had determined upon undertaking the crusade in earnest. It was known that his preparations were nearly ready,

\* Raynald. an. 1225, n. 3, 7.

and that he was hindered only by sickness from proceeding on this expedition. Accordingly, the pretext of the pope for a rupture came with a very bad grace ; and it could be easily foreseen that even this pretext would soon cease to exist ; the emperor, in fact, speedily recovered, and sailed for Asia, with a view to prosecute his plans of conquest. It would have seemed that the pope would now be obliged to withdraw his excommunication ; and, although he had cautiously included other offences of Frederic against the Roman see among the grounds of this sentence, yet, if he did not now revoke it, all Europe would perceive that he did not regard the crusade as the matter of paramount importance. Gregory, however, little regarded the unfavourable impression which might hence arise against him, and did not hesitate to make it manifest that he desired to weaken the power of the emperor more than even that of the Mussulman. He openly set himself to throw every possible impediment in the way of the emperor's operations. He issued a universal prohibition against taking part in a crusade which was conducted by an emperor lying under the ban of the Church and therefore under the curse of God. He sent orders to the patriarch of Jerusalem, to the knights of St. John, and to the Templars, not to obey or to assist the emperor in any matter whatever. At the same time, he made a new alliance with the Lombards, evidently directed against the emperor,—attacked the emperor's possessions in Apulia,—and sent into Sicily and Calabria a swarm of monks to excite the people to rebellion. And by these means Gregory succeeded in checking the emperor in the course which he had undertaken. In 1229, Frederic found himself com-

pelled to conclude a truce with the Saracens, in order to effect a speedy return to Italy, and to maintain his footing in that country.\* His return was more speedy than the pope expected; and such was his success in Italy and Sicily that Gregory was obliged to have recourse to the most distant places for help against him.† The emperor, however, who, from the first moment of his landing in Italy, had declared his desire of reconciliation, persisted in this desire, and took such effectual means to bring it about, professing himself ready to obey all the commands of the pope, that a peace between them was concluded (A. D. 1230), by which the papacy received full satisfaction for all offences, and even acquired several new political advantages of great value.‡ This conduct on the part of Frederic did not arise from weakness; it was rather the result of profound policy. He fully understood the interests of sovereign princes against the aggressions and tyrannical power of the papacy. Indeed, in this respect, he was a century in advance of his contemporaries; but he also knew that he was in advance of them; he understood the spirit of the age, and was aware that it would be folly to enlist that spirit against himself by prolonging his controversy with the pope. Before his return from the East, he had resolved on obtaining peace with Rome on any terms; and after his return he employed his power and advantage only to induce the pontiff to grant the object of his desire.

The emperor now took great care to give no occasion to the pope for a fresh breach with him. He was about to engage in a war with the Lombard

\* Raynald. an. 1229, n. 2, 3, 15—21, 22—28.

† Ibid., an. 1229, n. 34—43.

‡ Ibid., an. 1230, n. 4—10.



states, which had combined against him during his absence; and hence he found it of especial importance not to have the pope for his open enemy. In order to insure his neutrality, the emperor had himself, in 1233, called him in as an umpire in his dispute with Lombardy;\* and in the following year, 1234, he rendered him an important service by reducing the Romans to obedience, and thus securing to the pontiff that sovereignty over Rome which he seemed to be on the point of losing. The Romans had, on this occasion, made a determined effort to throw off the yoke of priestly domination which they found to be so oppressive; the pope felt that his only hope of effectual assistance was in the emperor, and from him, in fact, it came: but, when the emperor had gained signal successes in Lombardy, Gregory began to seek means to stop his progress, and to set limits to his power in Italy. He accordingly gave secret support to his present enemies, and endeavoured to raise up others, throwing also every possible impediment in the way of his operations. It has been supposed that he even secretly favoured the rebellion of Henry, the emperor's son, in Germany; but this is without proof; and certain it is, that Gregory openly took part against Henry, by excommunication and otherwise.† At length, however, the pope came to an open rupture with the emperor. On Palm Sunday, 1239, he solemnly pronounced against him a sentence of excommunication, which he sent throughout Europe, together with an interdict upon all places in which the emperor should reside.‡ The grounds of this quarrel, as stated by the pope in a

\* Raynald. an. 1234, n. 4; Muratori, tom. vii. pp. 215, 219.

† Raynald. an. 1235, n. 8, 9.

‡ Ibid., an. 1239, n. 9, 10.

circular epistle addressed to all bishops,\* were unreasonable and absurd, and evidently so fictitious as to be utterly insufficient to blind the eyes of men to his real design and policy. The emperor himself was by no means surprised at this proceeding; he understood too well his real position. He addressed a letter to the cardinals and people of Rome, couched in terms which contrasted favourably with the violence of the pontiff; and he even condescended to reply to the pope's bull in an Apology, or Defence, in which he exculpated himself from the several charges brought against him: but, after the publication of the manifesto containing the pontifical sentence against him, he adopted a more angry tone. In his first counter-manifesto, which assumed the form of an epistle to the king of England and other princes, it seems to have been his design to enrage the pontiff to the utmost, calling him a roaring lion, a mad prophet, a priest who profaned the sanctuary. In reply, the pope addressed a letter to all princes and bishops of Christendom, filled with epithets of abuse which, perhaps, have no parallel in the whole compass of Church history. In the emperor's rejoinder to this papal philippic, a circumstance discovers itself remarkably indicative of the real spirit of the age. While Frederic returned all personal abuse with interest, denouncing the pontiff personally as the great dragon of the Apocalypse, and antichrist himself, he yet took great pains to destroy the impression which might have been produced by those insinuations, or rather charges, of heresy which the pope had not hesitated to make against him. He gave a confession of his faith, such as might have satisfied an

\* Raynald. an. 1239, n. 14, 19.

inquisitor ; and declared his respect for the rights of the Church, and for its power, even over princes, in things spiritual. He did not deny that a pope had power to pronounce a sentence of excommunication against an emperor ; but he protested against the present sentence as being unjust in itself, and he had already called upon the cardinals (in the first epistle) to convene a General Council, in order to settle the dispute. All this was evidently done in order to avoid unpopularity.

The pope had now openly combined with the Lombards and Venetians against the emperor, and had even raised an army of his own, which he paid with money procured by enormous contributions from foreign Churches, especially the English. This latter circumstance turned to the advantage of the emperor ; people from whom the money was extorted were very ready to inquire whether it could be the cause of God in which the pope was so expensively engaged ; and his application for money met with positive refusal from many princes and bishops. The emperor having traversed the States of the Church with his successful troops, and having even shut up Gregory in Rome, Gregory now published a proclamation, convening a General Council to be held at Rome in the year following.\* To such a council the emperor had publicly appealed, and he had often professed himself ready to appear before it : if therefore he should hinder its assembling, his cause would be greatly damaged in the eyes of the world ; and yet he could not suffer it to meet without abandoning all the advantages of his present position. This proceeding of Gregory was, therefore, no less embarrassing than unexpected. But

\* Raynald. an. 1240, n. 53, 54, 57.

the emperor took his resolution, not hesitating to avoid the nearer and greater danger at the risk of encountering one which was at all events more remote. Frederic declared that no good could be accomplished by a council assembled under existing circumstances; and he guarded all approaches to Rome by sea and land so effectually as to intercept a fleet which had assembled at Genoa, with a large cargo of bishops, from England, France, and Spain, bound for Rome.\* This event was speedily followed by the death of the pope, in extreme old age; whose end, however, is supposed to have been hastened by the failure of this his last, and most hopeful, stroke of policy against the emperor.

It is a remarkable feature of the times that the emperor, although now before the gates of Rome with a victorious army, during the vacancy of the see, had no power to do what an emperor in earlier times would assuredly have done under such circumstances,—namely, to procure or enforce the appointment of a pope in accordance with his own wishes. Gregory IX. was succeeded by Celestin IV., who, however, died at the expiration of a month. Hereupon the cardinals, who were greatly divided among themselves as to the choice of a successor, dispersed, in order to avoid an election. The vacancy continued two years. At the end of that time, the public voice began loudly to demand an election; and the emperor, in order to avoid the suspicion of favouring the delay, compelled the cardinals to make their choice, which fell upon Innocent IV.,—a choice at which Frederic affected to be well pleased, although it was really obnoxious to him. Innocent conducted his first measures with a moderation which showed that the emperor

A. D. 1241.  
Celestin  
IV.

(See vacant  
two years.)

A. D. 1243.  
Innocent  
IV.

\* Raynald. an. 1241, n. 58, 70.

had in him a much more formidable enemy than he had encountered in the violent and precipitate Gregory. He publicly declared his willingness to be reconciled to the emperor; but said that his hands were greatly tied in this matter, inasmuch as the emperor was not so free from heresy as he professed to be, since he not only had Saracens in his army, but even kept Saracen concubines. This representation took great effect in Germany, where the mendicant monks, during the last twenty years, had been embittering men's minds against heretics to the extent of the wildest fanaticism. The emperor now applied anew to the pope, professing his earnest desire of peace with the Church, and giving him to understand that he was ready to make any sacrifice in order to obtain it. Most humiliating conditions were at first proposed; and it was arranged that peace should be finally concluded upon those conditions, at a personal interview to take place between the emperor and the pope. Both parties had set out for this interview,—the emperor having come as far as Terni, the pope to Sutri,\*—when, by a masterly stroke of policy, the pope in an instant entirely changed his own position and the position of the emperor also. The emperor had intimated his hope that, when the interview should take place, the pope would grant him absolution in the first instance; but the pope insisted upon a previous fulfilment of at least some articles of the treaty. Frederic hereupon sought evasions, and these convinced the pope that he could place no confidence in him. He therefore adopted an expedient which he put into execution without delay. In the course of the first night after his arrival at Sutri, he secretly quitted the place, re-

\* Raynald, an. 1244, n. 22—30, 33—35.

paired to the galleys of the Genoese, which lay at Civita Vecchia, and sailed for France.

Here he convened a General Council, at Lyons, in 1245, at which he summoned Frederic to appear, and answer for his conduct. The emperor could not do otherwise than recognise the jurisdiction of this council, having more than once appealed to such an assembly for the settlement of the dispute; and he therefore sent the archbishop of Palermo, and others, to appear on his behalf. Before this large and imposing assembly, consisting of one hundred and forty-five prelates (chiefly French, Spanish, and Italian), the Latin emperor of Constantinople, with other princes and ambassadors, Innocent accused the emperor of heresy, perjury, and the plunder of the Church (sacrilege). These charges were boldly denied by the imperial advocate, who also made large promises on behalf of Frederic, that he would render efficient aid against the Moguls, who had now filled Europe with alarm, and would lead in person a crusade against the Turks. Many of the bishops, especially the English, pressed the pope to accept these offers; but Innocent knew his enemy better than they did, and he asked them who could assure him that Frederic would fulfil his promise? When the ambassadors of the kings of England and France undertook, in the name of their royal masters, to be guarantees of the fulfilment, the pope told them that he thanked them for their offers, but he knew that, as the emperor would not fulfil his pledge, he should be obliged to have recourse to his sureties, and in this case he should have three enemies instead of one, which he begged leave to decline. After a short delay, during which Innocent found means to produce upon the assembly an impression in

his favour, he proceeded without hesitation to pronounce sentence of deposition against the emperor, in a long and remarkable speech. "I," said he, "am the vicar of Christ upon earth, and what I bind must be bound in heaven. Therefore, I declare that Frederic is rejected by God, I release all his former subjects from their oath of allegiance to him, command the princes and nobles of Germany to elect a new king, and reserve to myself the right of making arrangements for the kingdom of Sicily according to my pleasure." Frederic received the intelligence of these proceedings with expressions of great indignation;\* and he afterwards addressed a letter to the kings of England and France, full of home truths against the pope and the clergy,—truths, however, which were more than the age could well endure to hear.

In 1246, the emperor sought to make peace with the pope by the mediation of Louis IX., king of France, promising to engage in a crusade; but again his offers were rejected, and hostilities commenced both in Germany and Italy. The pope set up a rival emperor, and preached a crusade against Frederic; he also excited serious disturbances in the kingdom of Sicily against him; and it is said that he even took means to procure his assassination.

As to the alleged crime of heresy, the emperor caused himself to be examined by the archbishop of Palermo, the bishop of Pavia, and others, who professed themselves satisfied concerning his orthodoxy; but, when they went to the pope at Lyons to make their report in his favour, Innocent threatened them with deposition for having undertaken such an examination without a commission from himself.

\* Raynald. an. 1245, n. 33—45.

In 1248, Frederic experienced great reverses in Lombardy, and again sought to make peace with the pope, by the mediation of the king of France, but in vain. In 1250, Frederic died; and in the following year Innocent returned from Lyons to Rome, after having received a visit from his German king William, with assurances of extreme devotedness. In the same year, he excommunicated Conrad, son of Frederic, now the emperor, and proclaimed a crusade against him, which was preached by the mendicant friars. Conrad, however, was determined to maintain his ground against the pope. In 1252 he entered Apulia, where he reduced to subjection some towns which had revolted. While he was making this progress in Italy, the pope made attempts to keep him out of possession of his Sicilian dominions, by offering the crown of Sicily, first to Richard duke of Cornwall, afterwards to Edward, duke of Lancaster, and lastly, to the brother of the king of France, Charles of Anjou; but all these offers were declined, and Conrad established himself firmly in Sicily. He died, however, in 1254, and thus a prospect of success was again opened to the pope; but this was only of short duration, for he himself met his death, in the course of the same year, during an expedition against Manfred of Tarento, who had refused to do him homage.

A. D. 1254.  
Alexander  
IV.

Raynald, cardinal bishop of Ostia, a relative of Innocent III. and Gregory IX., succeeded as Alexander IV. Convinced that the extent of power to which his predecessors had aspired could not be obtained, he took his measures accordingly, and thus secured to his successors that which was really of chief importance to the papal see.

His extortionate demands in England, although



resisted by the bishops, were yet to a certain extent complied with by the weak king Henry III., under fear of excommunication and interdict. But the pontiff failed in his attempts to excite the king of England against Manfred, in order to obtain Sicily for his son Edmund. Manfred not only continued to set him at defiance, notwithstanding the excommunication which he had pronounced against him, but even succeeded in exciting disturbances at Rome, which compelled Alexander to flee to Viterbo, where he died, May 25, 1261.

His successor, Urban IV., was unsuccessful in his attempts to deprive Manfred of the crown of Sicily, who now married his daughter Constantia to the eldest son of James, king of Arragon,—the pope being unable to dissuade the latter sovereign from an alliance which gave him a prospect of the throne of Sicily for his descendants. Urban now offered the crown of Sicily to Charles of Anjou, brother of Louis IX., king of France; and this prince was negotiating conditions under which he should obtain that crown, when the pope died. He was succeeded by Guido, cardinal bishop of Sabina, as Clement IV. Immediately upon his accession, the new pope invited Charles into Italy, and pressed for support from his brother, the king of France. Charles arrived at Rome in May, 1265, when the conditions were settled upon which he should possess the throne of Sicily, and a crusade was preached against Manfred, who was soon after slain in an engagement with Charles, leaving him master of the kingdom.

A. D. 1261.  
Urban IV.

A. D. 1265.  
Clement IV.

Clement died in 1268, and nearly three years elapsed before the cardinals, assembled at Viterbo, filled the vacant chair. They then elected Theobald, Gregory X.

(See vacant nearly three years.)

A. D. 1271.  
Gregory X.

archdeacon of Liege, who took the title of Gregory X. The emperor Richard died about this time, and his rival, Alphonso, applied in vain to the pope for confirmation. Gregory wrote to the electors, requiring them to unite in the election of a king within a given time; and declaring that otherwise himself and the cardinals would appoint one. The choice fell upon Rodolph, count of Hapsburg, October 30, 1273; and then, by the persuasion and influence of the pope, Alphonso abandoned his pretensions. The oath taken by Rodolph's ambassadors on his behalf, before the pope at Lyons, contains,—besides that which Innocent III. had exacted from Otho IV. and Frederic II.,—a formal renunciation of all imperial rights over the city of Rome, and a provision for the final separation of the kingdom of Sicily from the empire.

The second (General) Council of Lyons, convened by this pontiff, is remarkable for the establishment of the conclave of cardinals on occasion of papal elections. According to this regulation, which forms the foundation of the present system, the cardinals were bound to assemble ten days after the death of a pope for the election of his successor, and to remain shut up in the place of election until the new pope should be regularly elected by a majority of votes. Perhaps the rapid succession of popes which followed this enactment may be partially traced to its operation; the cardinals, hastening to recover their liberty, appear to have chosen, from time to time, a pope who would be likely soon to vacate the chair, and give occasion for another election.

A. D. 1276.  
Innocent V.  
Adrian V.

Gregory died at Arezzo, January 10, 1276, and was rapidly succeeded by Innocent V., Adrian V.,

and John XXI. (or rather XX). During these short pontificates, the Roman people became accustomed to regard the pope merely as their titular sovereign, and to attach themselves to their self-chosen neighbouring protectors, who thus gained an accession of power highly disadvantageous to the papal see. It therefore became needful to devise some means of restoring the papal influence where it had been thus impaired ; and a favourable opportunity of effecting this object presented itself to the next pontiff, Nicholas III., of which he did not fail to make good use.

John XX.  
or XXI.

A. D. 1277,  
Nicholas  
III.

The French pope, Clement IV., during the vacancy of the imperial throne, had granted the office of vicar of the empire (*Paciarus*, *Pacis Servator*) in Italy to the new king of Sicily, and had thus bestowed upon him an increased measure of influence. After the accession of the emperor, Charles desired to retain his new office, and declared that he could surrender it only into the hands of the pope, from whom he had received it. Rodolph accordingly pressed the pope to discard the new vicar, and Nicholas resolved so to conduct the matter as that he might obtain something from both parties, although he had determined to favour only one. He alarmed Charles with a prospect of his entering into a close alliance with the emperor prejudicial to his interests as king of Sicily,\* and thus induced him, not only to resign his vicariate, but also his dignity as Roman senator ; while from the emperor, on the other hand, the pope obtained a formal recognition of the rights of the Roman Church to all its possessions, including even an acknowledgment of some claims which had not been hitherto established.

\* Raynald. an. 1278, n. 65—76.

A.D. 1281.  
Martin IV.

All the advantages which had thus been gained by Nicholas were lost again after his death ; for Charles found means, by his influence in the college of cardinals, to procure the election of another French pope, Martin IV., entirely devoted to his interests, who immediately took care that he should recover his dignity of Roman senator, engaged most zealously in his support, and even so far implicated himself in his foreign affairs as to excommunicate the Greek emperor who had promised to aid the Sicilians in a rebellion against their sovereign, while he threatened the same proceedings against Peter, king of Arragon, who had incurred suspicion of having favoured the same rebellion.\*

The Sicilians, reduced to despair by their foreign master, at length resolved to take the matter into their own hands; and in April, 1282, they perpetrated that bloody massacre of the French which is too well known in history under the name of the Sicilian Vespers. The pope then laid the kingdom under an interdict ; but Peter of Arragon having come to their assistance with a fleet, the Sicilians sent word to the pontiff that they would attach themselves to him rather than to the Peter at Rome.† The anger of Martin was now turned against the king of Arragon, and led him to undertake new measures, which, however, were ineffectual. He caused a crusade to be preached against Peter throughout Christendom ; raised money in every country of Europe for the purpose of aiding the French in the recovery of Sicily ; and circulated an epistle calling upon every one to employ all means in his power for the extinction of the king of

\* Raynald. an. 1281, n. 1, 14—17, 26 ; an. 1282, n. 8.

† Ibid., an. 1282, n. 13.

Arragon and his ally the Greek emperor; while to the French he granted especial permission to conquer and take possession of Arragon. All, however, was in vain. Peter remained master of Sicily, and set the pope at defiance. The former king, Charles, died in 1285, after two futile attempts to recover his throne; and the death of Martin followed in the same year.

During the pontificates of the three succeeding popes, Honorius IV., Nicholas IV., and Celestin V., war was still carried on in Sicily between the sons of Peter and the sons of Charles. The young Charles was made prisoner, and was glad to purchase his liberty by a treaty, in which, in return for his abdication of the crown of Sicily in favour of the princes of Arragon, he was secured in the possession of Naples. For the credit of the papal see, the popes found themselves obliged to protest against that contract, having so long opposed the occupation of Sicily by the house of Arragon. At length, however, this opposition ceased; and thus, without their efforts, and even to a certain extent against their will, the affairs of Lower Italy,—which, during the last two centuries, had caused so much anxiety to the papal see, and had so perplexed its politics,—were established on a basis probably more advantageous to the real interests of Rome than would have been even the possession of the country itself. The new masters of Sicily recognised the pope as their liege lord; the power which, by its nearness, would have been so formidable to them was now divided; and the danger of its falling into the hands of Germany was apparently averted for centuries.

A. D. 1285.  
Honorius  
IV.  
A. D. 1288.  
Nicholas  
IV.  
A. D. 1294.  
Celestin V.

The power of the Church in relation to the State had now reached its meridian, and had already begun to decline. A new theory had been completed, according to which the Church was to be not only independent of the State but the State was to be dependent on the Church. This theory had been formally recognised, and was in some cases brought into actual operation; but, before the projected theocracy could firmly establish itself, a new constitution imperceptibly arose in most of the European States, which assisted the temporal power in many instances to obtain a decisive superiority over the spiritual, introducing an order of things in which the Church became actually in many respects dependent on the State. This, however, did not take place universally at the same time, in the same manner, or in equal degrees; although the principal circumstances which led to this result were everywhere substantially alike.

The most important of the relations between Church and State always arose out of the part which the State acted with regard to the disposal of bishoprics and other high ecclesiastical offices; and it was precisely in this respect that the chief revolution was systematically effected during this period. It was openly avowed as at least one part of the design of the dispute concerning investitures, begun by Gregory VII., and carried on through nearly half a century, to abolish, or at least very greatly to reduce, the interference of the supreme civil power, and of lay interference generally, in the disposal of Church preferment. But this end was not thoroughly attained; and, as it was found impossible to secure it by direct and open efforts, a more circuitous method was adopted, until,

at the end of the thirteenth century, the Church had almost succeeded in carrying the point. Still, the State at all times reserved to itself some remnant of power in this matter ; and it is well to consider both what it lost, and what it retained, together with the importance both of its losses and of its possessions.

Gregory VII. himself obtained little or nothing as the result of his dispute concerning investitures. His decree was not obeyed : investitures continued to be granted as formerly in Germany, France, and England, by the sovereigns of those countries, at their discretion ; and it was only against the emperor that Gregory proceeded to take notice of this contempt of his assumed authority. It required time for the establishment of a principle so contrary to the spirit and practice of all existing constitutions, and to the views even of many ecclesiastics, who felt themselves bound to “render unto Cæsar the things that are Cæsar’s.” In course of years, however, many bishops began to perceive that such a regulation as that demanded by Gregory would tend to the aggrandisement of the whole ecclesiastical order. Urban II., Gregory’s second successor, announced the design of delivering the Church from all traces of vassalage to temporal sovereigns,\* and forbade all ecclesiastical persons to swear allegiance to a civil ruler. In England and France the spark soon began to kindle into a flame. In England, Anselm of Canterbury was the first who raised the standard of independence against his sovereign ; and in France, Rodolph, archbishop of Rheims, was the first to refuse the oath of fealty. But the steady and well-advised resistance with which this attempt was met, not only rendered it abortive, but

\* Council of Clermont, A. D. 1095.

prevented a recurrence of such attempts for the future. —We must here briefly advert to some events which have been already detailed in the course of the foregoing history.

Henry I. of England cautiously avoided referring the dispute between himself and Anselm to the decision of the pope. The ambassadors whom he sent with Anselm's deputies to Rome were expressly instructed to declare to the pope, not only in the name of the king, but also on behalf of all the nobles of the land, that the archbishop, in case of his longer refusal to receive investiture at the hands of the king, would be expelled the kingdom; that the whole nation would then renounce obedience to the Roman see; and that the annual tribute hitherto paid by England to Rome would be stopped. Paschal II., alarmed by this message, sought only to gain time; and by various artifices he succeeded in creating so much delay that the king proposed further negotiations, and permitted the archbishop to repair to Rome in 1103 with a view to arrange a settlement of the affair. Paschal, however, now assumed a higher tone; until Henry told him that he would rather lose his crown than resign his rights over the temporalities of the English sees, and announced to Anselm that he must not presume to set foot in his kingdom again if he were resolved to persist in his refusal. Matters remained in this state for some time; and Anselm lived in exile at Lyons, until the king's sister, a great patron of the archbishop, obtained for him permission to return to England, and to resume possession of his see. The question concerning his own investiture was thus left open, the archbishop being only required not to regard as excommunicated those bishops and prelates who had



lately received investiture at the hand of the king. Anselm, however, pretended that he must first take advice of the pope, who had pronounced sentence of excommunication against those parties; whereupon Henry again consented that the matter should be referred to Rome,—but at the same time took care to send an agent of his own, who was so well instructed that, by the use of various means, he succeeded in effecting a wonderful change in the pope's decision.\* In March, 1106, the pope wrote to Anselm, requiring him for the future to act with moderation towards the king and the nobility, “because,” said he, “we must always stoop and condescend where we have to raise the fallen.”† He accordingly not only empowered but required him to absolve, after a slight penance, all bishops and abbots who had received investiture from the king, and to consecrate them for their offices; enjoining him for the future not to hesitate to consecrate those who had taken the oath of allegiance, provided they did not receive investiture by crosier and ring. After this, the controversy was speedily brought to an issue. The king formally declared that he would not continue to invest bishops and abbots with crosier and ring, but that he would require the oath of allegiance; and the bishops acknowledged themselves bound by this oath. This practice was thus established as the law of the land; the king resigned an empty ceremony, but retained his substantial right of sovereignty over all persons, ecclesiastical as well as civil.

\* Paschal. Ep. A. D. 1106.

† “Qui enim stans jacenti ad sublevandum manum porrigit, nunquam jacentem eriget, nisi et ipse aliquantum curvetur.”—Ep. Paschal. ap Eadmer. Hist. Nov. lib. iii. p. 74.

In the same manner, but after a shorter and slighter struggle, the controversy was settled in France.\* In a council at Rouen, the bishops of Normandy formally assented to the decree of Clermont; and Rodolph, elected archbishop of Rheims in 1106, proceeded to contest the matter with the king, Philip I. The pope, Paschal II., who came to France while the controversy was raging, laid an interdict upon the city of Rheims, which took part with the king against the archbishop, and himself consecrated Rodolph at a council which he held at Troyes. Philip died in 1107; and the young king, Louis VI., seeming to ignore even the existence of an archbishop of Rheims (by whom the kings of France had been formerly crowned), caused himself to be anointed and crowned by the archbishop of Sens. Rodolph understood from this how firm an attitude the king had determined to maintain against him, and how resolved he was to employ the means at his disposal for keeping him out of the possession of the see. He, therefore, cheerfully listened to proposals of accommodation, which were soon after conveyed to him from the king by Ivo, bishop of Chartres. Louis gave him to understand that he would recognise his election, and would give no support to a rival who had been set up against him, and who had been favoured by Philip, provided that he would consent to take the oath of allegiance. Rodolph consented to these terms; and, the substantial rights of the civil power being sufficiently vindicated, the affair was at an end. These rights were again emphatically asserted, during the same reign, in a council at Rheims, in 1119. While the pope (Calixtus II.) and the cardinals insisted upon a renewal

\* Conc. Rotomag. can. 8.

of the decrees against lay investitures, in very stringent terms, Louis also insisted, and that effectually, upon a reservation of the rights which the king of France had hitherto exercised with respect to bishops and their sees. Investitures with crosier and ring had been for some time past partially discontinued in France; and the king made no opposition to its final prohibition. In 1137, indeed, Louis VII. released the bishops of Aquitaine from their oath of allegiance to him as duke of Aquitaine, and to all succeeding dukes; but they were still bound to take the oath to the king of France: as in all other provinces, they were now immediate vassals of the king, instead of being also subjects of the duke.

On the other hand, Louis VI. and the succeeding kings of France distinctly recognised the freedom of episcopal elections. The expression "canonical freedom of the election of bishops" now came into use, implying a renunciation of that right of nomination to bishoprics which had been formerly exercised by the French sovereign. But, to the end of the twelfth century, the custom remained unchanged that, on occasion of the vacancy of a see, permission to proceed to a new election was first sought from the king; and it is evident that this regulation alone gave an opportunity of royal interference and influence.

Still more striking appeared to be the failure of the attempts against the right of investiture in Germany, considered as designed to overthrow the existing relations of bishops to the State. By the terms of the Concordat of Worms this connection was rather strengthened than impaired. The influence of the temporal sovereign in the disposal of bishoprics had been gradually counteracted by the assumed ecclesi-

astical supremacy of Rome, until at last the popes came to possess unlimited power in this respect. It was established as a rule that the pope should decide in all cases of disputed elections, and that the temporal sovereign, no less than the rival candidate, should be bound to await and to respect his decision; so that it was requisite only to set up a rival candidate in order to place the decision at once in the hands of the pope. This rule was not established, indeed, without an occasional protest on the part of the sovereign. Such was the protest of the emperor Frederic I. in 1183, concerning the election of an archbishop of Treves. Hence also the dispute between Louis VII. of France and Innocent II., in 1140, concerning the consecration of a new archbishop of Bourges before receipt of the royal confirmation of his election, which Innocent did not hesitate to perform notwithstanding the opposition of Louis; and when the king caused the gates of Bourges to be closed against the new bishop, who had been thus irregularly consecrated, Innocent laid the kingdom under an interdict. The king, enraged at this proceeding, vented his indignation in the spoliation of churches, and in hostilities against Theobald, count of Champagne, who had espoused the cause of the archbishop;—hostilities attended with an act of barbarous cruelty in the burning of a church, containing one thousand three hundred defenceless people who had fled to it for protection. But at length, conscience-smitten, the king consented to grant investiture to the archbishop, and to leave him in the undisturbed possession of his church, vowing moreover a crusade to the Holy Land by way of penance for his offences. In like manner, by the use of excommunication and interdict, Alex-

ander III. and Lucius III. afterwards compelled A. D. 1180.  
 William, king of Scotland, to something very like compliance with their will in the matter of a dispute concerning the nomination of a bishop of St. Andrews. Towards the end of the twelfth century, cases were greatly multiplied in which sovereigns tacitly recognised the pope's exclusive power of deciding in disputed elections; and it became an ordinary event that an election to a bishopric was contested, and the choice thus finally referred to the pope. In these cases the pope ordinarily granted consecration previous to investiture, and thus made it appear that temporal princes had no more to do in the matter of these elections than to confirm the decision of the pope by the grant of investiture. At the beginning of the thirteenth century, this new theory was not only recognised in fact, but formally and expressly acknowledged as law, by the emperor Otho IV. and his successor Frederic II.; thus furnishing a striking example of that policy of the court of Rome which consists in first making some practical aggressions, and then maintaining the principle of those aggressions in the way of theory and law. In the course of this thirteenth century arose the new practice of popes arbitrarily nominating bishops, and filling up vacant sees at their pleasure. What they had formerly done only in particular cases, and under special circumstances,—what even Innocent III. had rarely ventured to do,—became now the order of the day. The principle, however, of annihilating even the indirect influence of temporal princes in the disposal of sees, had already been sanctioned by Innocent III. On occasion of the celebrated election of Stephen Langton to the archbishopric of Canterbury, which gave rise

to the quarrel of Innocent with king John of England, this pontiff formally announced the maxim that the consent of the sovereign should not be requisite in the case of an election in which the pope had been called to interfere; and this clearly included the further principle that still less would such consent be requisite when the pope should himself appoint a bishop.

It is a fact which ought not to escape our observation that the bishops "freely elected," even without the nomination of the sovereign, in the second half of the twelfth century, were by no means more pious, more learned, or in any way better qualified for their office, than those who had formerly been nominated by temporal princes,—but rather the reverse. In the chapters, ambition and avarice, envy and jealousy gave occasion to corruption, intrigue, disputes, and manifold abuses. When a see was purchased from princes and courtiers, the purchase was made simply with ready money; nor was it always that the appointment was thus venal, but the choice of the sovereign was sometimes conscientiously made on the score of piety or learning; and even when a see was sold, it was often not sold to a notoriously bad or unfit person, although by the sale some men more fit were passed over. But there were many disreputable means by which such appointments could be procured from chapters, when each individual elector could fix his own price, and dictate his own terms. Hence the probability was increased that the appointment would be given to an unworthy candidate; and that in some cases the chapter would exclude the best and most fit candidate, simply because he was the most fit,—that is to say, because the principal ecclesiasties of the diocese

did not wish to come under his good government and discipline. So that, under these circumstances, it appeared to be for the benefit of the Church that the popes should take the appointments into their own hands,—not immediately out of the hands of the sovereigns, but out of the hands of the chapters, after they had received it from the sovereigns by way of free election. Let the civil ruler cease to appoint our Anglican bishops, and then who will? Very soon, the pope.—The expenses of appeals to Rome were enormous, and formed a great source of revenue to the papal treasury.

During this period the king of Germany lost the right of regalia; \* which, however, the popes did not even attempt to wrest from the kings of France and England. In England there were various protests against the abuses of this right, but the right itself was not contested. The exercise of this right in Germany consisted in this, that on the vacancy of a bishopric the emperor sequestered all the property belonging to the see, and retained it until the vacancy was filled up. In France and England the sovereigns exercised not only the same right, but also, during the vacancy of a see, they disposed of all preferments and made all appointments which would have been at the disposal of the bishop if the see had been occupied. It is uncertain when this right was first assumed; but it appears to have been an offshoot of the feudal system. Examples of the appropriation of the revenues of ancient sees by kings, dukes, and other powerful neighbours, occur as early as the seventh and eighth

\* See Natalis Alexander, *Dissert. iv. ad II. Eccles. Sæc. 12 et 13*: also *Marca de Concord. Sacerd. et Imp. lib. viii. c. 1—28*; Cardinal Norris, *Istoria delle Investiture*, pp. 547—758.

centuries. Doubtless this gradually grew into a custom, and then became law. Perhaps the right was first assumed in France about the middle of the twelfth century; in Germany, probably, it did not extensively prevail before the same century; in England it arose under William I. or William II.

Another right was the *Jus exuviarum*, by which the sovereign was entitled to all the personal property of a deceased bishop. In earlier times such property was regarded as belonging to the Church, and was seized by the clergy of the chapter, or others immediately about the person of the bishop; afterwards it became a prey to powerful barons, dukes, or others; and then it went, with the regalia, to the king. At the end of the eleventh century this right was not recognised; for we find various canons of councils of that date enacting that the property of a deceased bishop should pass to his successor.\* In the twelfth century the right was recognised as belonging to the sovereign. In 1186, Urban III. reproached the emperor Frederic with hasty and extreme exercise of this right; but the right itself was fully recognised. And in 1197, Otho IV. voluntarily promised, upon his election, to forego this right, although retaining that of regalia. In 1209 Innocent III. made the formal resignation of this right an article of capitulation, signed by the same Otho IV.;† and this surrender was finally confirmed by Rodolph of Hapsburg when he came to the crown.‡

Kings, therefore, could no longer make bishops; but bishops, when made, were their subjects, bound

\* In the Council of Clermont, A. D. 1095, can. 30, Urban II. renewed this law.

† Raynald, an. 1209, n. 10.

‡ Raynald, an. 1274, n. 6.



to acknowledge allegiance to the crown. Often they could not prevent the appointment of a bishop against their will, but they could compel him to submission when once appointed. The bishops, in short, held their property as a fief from the sovereign, and they were bound to swear obedience and fealty. During this period, indeed, the sovereigns acquired greater means of keeping the bishops in a state of dependence; and many occasions arose on which bishops stood in need of their protection. This followed from the increase and consolidation of regal power which now was taking place. Many of the estates of former vassals, powerful dukes and counts, were now absorbed into the royal possessions and domains, so that the king was no longer one feudal lord among many, but his power was formidable alike to all parties in his dominions. By this means the bishops were greatly relieved from the oppression of powerful barons, but, at the same time, they themselves became more completely under the power of the sovereign. In France the bishops lost almost all their political influence. In England the barons usually took part with the king in his struggles with the archbishops of Canterbury; and hence, also, the bishops usually sided with the king in his quarrels with the barons. This identification of episcopal interests with those of the crown, together with the consequent dependence of the bishops upon the sovereigns, worked itself completely into the English constitution, and continues to this day.

The regal power now obtained a preponderance over every other in Sicily, and in the northern states—Denmark, Norway, and Sweden—as well as in France; while in other parts,—as in Poland and

Hungary,—the increasing power of the nobles kept pace with that of the sovereigns. Almost everywhere the bishops stood next to the king, as forming the first estate of the realm ; and everywhere they were more immediately subject to his influence and power than the temporal nobles. It was only in Germany that the bishops appeared to retain the same relation to the State as in the time of the Othos. In this kingdom many local circumstances prevented that change of constitution which took place in others, especially the custom of electing the emperor by the great estates. From the accession of the house of Hapsburg, the bishops adhered steadily to the interests of the imperial court.

An epoch was now formed in the history of civil society by the growth of large towns, and the organisation of these new communities. The great bodies of free and chartered citizens, with their municipal corporations, formed a new estate of the realm, which, with its influence, rights, and property, occasioned a corresponding deduction from the possessions of those of more ancient date. Their rise could not, therefore, but affect the relation of the bishops to the State ; but it may be considered uncertain whether in this way the bishops were, on the whole, losers or gainers : they lost some political power over these masses of people, but they gained a new estate highly serviceable as an ally against the nobility when occasion might require.

In these centuries we find the beginning of a struggle on the part of the Church against the State concerning its immunities and property. The Church, doubtless, had good reasons for commencing

this struggle; but, in the course of it, she suffered herself to seek after more than she ought to have desired, and consequently, in some instances, she received less than might otherwise have been conceded to her.

According to the existing constitution of all the states of Europe, not even a thought could be entertained of the exemption of all Church property from civil burdens. It was the practice of those times for the free owners of property to furnish a number of troops in proportion to the extent of their possessions, on demand of the king; and there was no reason for exempting from this service the possessors of Church property more than any others. It is uncertain whether the exemptions granted to a single mansus belonging to each church, by Charlemagne or Louis I., extended thus far; but, even if it did, still the bishops themselves did not think it possible that such exemptions could be extended to the whole of their estates. Many churches, however, soon became possessed of various single estates and pieces of property, which enjoyed exemptions from tribute by special grant or compact; and it was, doubtless, a part of the great plan of Gregory VII. to deliver all Church property, as well as ecclesiastical persons, from feudal service. This was announced in the celebrated decree of Urban II. at the Council of Clermont,\* and even in a still earlier decree at the Council of Melfi, in Apulia (A. D. 1089 or 1090). This design, however, the popes were eventually unable to accomplish. Paschal II. conceded to the king of England, Calixtus to the king of France and the emperor of Germany, that the bishops should do

\* Can. 11.

homage to them as their vassals ; and afterwards this point was never again contested. It was also a recognised principle that, in case of failure of feudal duty or service, the king could proceed against bishops by the same means of compulsion as against laymen. The attempts at a complete emancipation of Church property from feudal service and burdens thus ended in failure.

The sovereigns of Europe, especially the kings of England from William the Conqueror, often oppressed the Church by extortions and illegal demands of subsidy ; and against these acts of violence and rapine the Church, from time to time, loudly protested.

After the growth of independent cities, and the formation of municipal corporations, the civic magistrates found it needful to tax the citizens for necessary expenses of defence, and other works undertaken for the common welfare ; and it was reasonable that the property of the Church, which shared in the common benefit, should pay its portion of the imposts. Afterwards, however, especially when many—*e. g.* of the Italian cities—engaged in expensive wars, with which the clergy had less sympathy than any other classes of citizens, taxation for the support of these proceedings was felt by the Church to be a grievance, especially as more than a due proportion was often exacted from the Church under an idea that it was rich and could well afford to pay. Hence, before the end of the twelfth century, we find traces of precautions on the part of the Church against this evil. But about this time it was overtaken with another. Contributions from Church property to the crusades were first suggested by popes, and readily made by the bishops ; but these were afterwards exacted by the sovereign,

in a measure and to an extent which became burdensome and vexatious. In attempting to put a stop to this grievance, the Church proceeded at first with great moderation. Pope Alexander III., by a celebrated decree of the Council of Lateran, A. D. 1179, affirmed that no power in the world was competent arbitrarily to impose taxes upon ecclesiastical persons, and declared that any civil magistrate who should hereafter attempt to do so would be liable to excommunication;\* a decree which appears to have been directed especially against exactions made by some of the cities of Italy, especially in Lombardy, and also perhaps in Germany. The meaning of this was, that ecclesiastics should not be compelled to furnish a subsidy to any state or city, unless they themselves considered the demand to be equitable or necessary, according to the pressure of existing circumstances. But it did not involve any attempt to rescue the Church from all civil burdens whatever. In 1215, Innocent III., in a council at Rome, known as the Fourth Lateran, renewed this decree of Alexander;† adding that the laity should thankfully receive every contribution made by the Church towards the necessities of the commonwealth as a voluntary offering, but also maintaining that the Church would not hesitate to grant such contributions when convinced that they were needed, or called for by regard to the general interests. And he suggested that in all such cases, when demands were made upon the Church on these grounds, the bishops could not do better than take the advice of the pope, and abide by his decision. Against this regulation none of the sovereigns of

\* Conc. Lateran. 3, A. D. 1179, can. 19.

† Ibid., 4, A. D. 1215, can. 46.

Europe protested ; and it is probable that they foresaw (what was really the fact) that they would be able to settle these matters with the pope better than with their own bishops ; for, while the bishops were the parties concerned in resisting the demand, to the pope it was often a matter of far greater importance to gain the favour of a prince by granting a subsidy, than to protect a comparatively small portion of income arising from Church property. Subsidies, in fact, were readily granted at Rome ; and it soon became the practice for princes or magistrates, when seeking a grant, to apply directly to the pope instead of the bishops in the first instance, and for the pope to grant the subsidy without consulting the bishops, even empowering the sovereign to enforce his demands in case of refusal or hesitation. This new regulation was, therefore, disadvantageous to the Church, but in favour of papal power.

Such applications to Rome, however, were capable of being easily construed as involving an admission on the part of the civil magistrate that he had of himself no power to impose such burdens on the Church, and as recognising the right of giving or withholding assent as inherent in the ecclesiastical body. And this was an admission of no small value. From the middle of the thirteenth century we find the principle of this right of consent on the part of the Church embodied in practice, no less than existing in theory. We now find compacts between civil magistrates and the clergy in chapters, as to the amount to be paid by the Church towards the expenses of the town, and the most convenient way of paying it ; and we find also arrangements for compounding the payment. At the same time, by these

reasonable concessions, the Church was encouraged to make unfair demands.\* Hence, in some places, a remedy was devised in the shape of laws of mortmain. In 1218,† only two years after the Lateran Council of Innocent III., the Florentines made a law prohibiting any piece of land from falling into the hands of the clergy, and even from coming into the hands of an individual ecclesiastic by way of paternal inheritance. In 1273,‡ Alphonso III., of Portugal, published an edict forbidding the Church and clergy of his kingdom from inheriting any landed property in future. In 1279, the statute of mortmain§ was enacted in England. In 1293, Guido, count of Flanders, enacted a similar law, disqualifying all monasteries and religious communities from acquiring landed property under any title whatever.

The Church now made some bold attempts to extend its legal jurisdiction in criminal matters, and especially to protect all ecclesiastics from suffering punishment by the sentence of a civil court. But these attempts were unsuccessful.

The ancient *privilegium fori* was attended with many limitations and restrictions, which had been increased by the introduction of the feudal system, both in civil and in criminal causes. But at the same time the feudal system contributed to strengthen the idea on the principle of which clerical exemptions were founded. The practice having become pre-

\* Conc. Narbonens. A. D. 1227, can. 12; Conc. Tolosan. (Toulouse), A. D. 1229, can. 20, 21.

† Raynald. an. 1218, n. 32.

‡ Ibid., an. 1273, n. 25.

§ Mortmain, from 'Mortua manus,' dead hand, because the lands so alienated were said to fall into a dead hand, *i. e.* one incapable of performing the usual service required of tenants.

valent by which almost every individual, as a vassal, was amenable to the court of his own particular liege lord, it seemed natural that the clergy, in like manner, should be amenable to the courts of the bishops; for the age attached the idea of feudal relationship to the connection between bishop and clergy. One part of the effort now made for the independence of the Church, according to the great scheme of Gregory VII., consisted, therefore, in an attempt to obtain complete exemption from criminal jurisdiction exercised by the state or civil magistrate; as in the case of Becket, whose quarrel with Henry II. arose out of a refusal to surrender to the civil tribunal a priest who had committed murder. This may have been well designed, not as a matter of ambition, but for sake of justice and good discipline; still, however, it manifestly involved great inconvenience to the State and to society at large, and it could not be permitted to take effect. How far soever the principle of the exemption of clergy from the jurisdiction of temporal courts in criminal cases may have been established in theory, it never was effectually set up in practice.

Greater success attended the efforts of the Church to extend its jurisdiction in civil matters. From the beginning of the eleventh century this jurisdiction existed to an astonishing extent. There was scarcely any cause of this kind which the ecclesiastical tribunals were not considered competent to decide, and hardly any of which they did not claim the right of cognisance. Indeed, so far did they claim an exclusive right of cognisance in these matters, that but little business remained in the hands of the civil courts. This arose from the superior reputation of



the bishops' courts, as giving a more impartial and equitable judgment, and that, too, at less expense than in the temporal courts. In the twelfth century, it may be said that the temporal courts were occupied almost exclusively with criminal cases, all others being referred to the ecclesiastical tribunals. It cannot be surprising that the Church manifested a desire to retain this civil jurisdiction in its full extent ; even so far as to require oath from litigant parties, at the outset of a suit, to the effect that they would not carry the cause before any other tribunal. Besides this, many civil causes were transformed into ecclesiastical, over which the Church claimed exclusive jurisdiction ; in addition to its control over testamentary affairs, and questions of matrimony and divorce. Thus, the Church favoured the custom of confirming contracts by oath ; and then the breach of a contract became an ecclesiastical offence under the designation of perjury. Suits for debt fell under ecclesiastical cognisance, as being more or less inseparably connected with questions of usury. In France, the Church claimed the right of deciding all cases connected with the buying and selling of corn ; because, a law having been passed prohibiting the sale of this article on Sundays, it became necessary to determine in the first instance on what day the sale had been made,—and this was a question for the Church. The exercise of this ecclesiastical power was, in many respects, highly beneficial ; the views of the age respecting the administration of justice were in this way greatly improved,—the old practice of trial by combat and ordeals gradually disappeared under the influence of a more rational mode of procedure,—and the administration of justice was thus reduced to a

system on principles of reason and humanity. But, before the complete expiration of this period, we find the State endeavouring to relieve the Church of some portion of this burden which it had so willingly undertaken, and to confine its jurisdiction within more ancient limits. It began to be generally discovered that the Church had assumed, in these matters, more than belonged to it, not without loss to the State.

During this period, the spiritual weapons of the Church,—excommunication and interdict,—began to lose their force. They had been too frequently employed, and were found to be oppressive and injurious to the interests of society. Excommunications, and citations under penalty of excommunication, had become exceedingly common, especially in connection with the administration of justice in the bishops' courts; and this very circumstance had greatly contributed to diminish their weight. Innumerable cases continually occurred in which it was impossible that the sentence of excommunication, when pronounced, should be followed by its professed consequences; and this familiarity, and mere formality, induced contempt. In fact, the execution of the sentence was in many cases altogether impossible. Various attempts were made on the part of the Church to remedy this evil; but those attempts either simply failed, or even rendered the system of excommunication more odious and more inefficient than ever. Interdicts also, in like manner, began to lose their power. During the twelfth century, the mere threat of an interdict compelled Philip I. of France to dismiss the countess Bertrade, whom he had married; and this weapon

extorted from Henry II. of England all those sacrifices by which he purchased first his reconciliation with Becket, and afterwards his absolution. At the beginning of the thirteenth century, it forced the bolder Philip II. of France to take back a queen whom he had put away ; and from John of England it extorted even his kingdom and his crown. But interdicts were imprudently multiplied during the thirteenth century, especially on a small scale, in provinces ; until at length the inconveniences arising from these sentences aroused the attention of governments, and measures for a remedy of the evil began to be devised. The civil authority now claimed a right to decide upon the propriety of an interdict before it could be put in force, and to annul it upon proof of any irregularity. Thus, in 1235, Louis IX. cancelled an interdict pronounced by the archbishop of Rheims ; and, in 1263, he annulled another by the archbishop of Poitiers. And afterwards, from the reign of Philip IV. (le Bel), it became an established maxim of jurisprudence in France, that all censures and interdicts pronounced by the spiritual courts should be subject to an appeal to the parliament. It is obvious that while such measures tended to make interdicts harmless to the State, they rendered them also equally powerless in favour of the Church. Hence, therefore, it now became an object of papal policy to restrain the bishops in their issuing of interdicts ; and we find that a pope frequently took off the interdict which a bishop had imposed, while various decrees were issued to moderate the sentences which ecclesiastical threats professedly involved. But all attempts to restore their former power failed ; and an interdict soon came to be regarded as a mere formality

in ecclesiastical suits, which no one regarded with dread.

The morals of the clergy were now thoroughly depraved. Never had ecclesiastics sunk so low in vice and impiety, and that so universally,—never had they been so insensible to decency and order, so refractory against discipline, and so utterly shameless in their crimes,—as were the majority of the clergy during the twelfth century. A hundred murders had been committed by clergymen in England during twelve years of the reign of Henry II., in the interval between the accession of that sovereign and the murder which gave rise to his dispute with Becket.

This corruption may be ascribed partly to that undue depression of the episcopal dignity, and consequent loss of the bishop's influence over his clergy, which may for the most part be traced to the depraved character of the bishops themselves, and also in some measure to the admitted theory of an universal episcopate of the pope. Many monasteries and individuals were formally exempted from episcopal jurisdiction, and placed immediately under the pope. Not a few of the clergy, having been ordained without a title, as chaplains of noblemen, or in other ways, were professedly independent of the bishops; while at the same time episcopal authority had been weakened by the extensive exercise of lay patronage in the disposal of Church preferment. All these causes contributed to laxity of ecclesiastical discipline. To these may be added also the prevailing system of bestowing benefices upon those who were unable to discharge the duties attached to them. Church preferment was often conferred upon minors and infants, so

that even twenty or thirty benefices could be held by the same individual, who therefore also, as a matter of course, altogether failed in the due discharge of religious services. Complaints were rife concerning this relaxation of morals and discipline; and attempts were even made from time to time to correct the evil, but to no purpose.

The constrained celibacy of the clergy, together with the laws enacted in connection with this institute, and the customs to which they gave rise, such as the payment of an annual tax to the bishop or his official for connivance at ecclesiastical concubinage, contributed to aggravate this evil.

Laws against special abuses, such as premature ordinations, pluralities, &c., were frequently made, but only to be broken or evaded. The evil was not attacked at its root. Instead of a law against vague or premature ordinations (*sine titulo*), bishops ought to have been prevented from receiving (however indirectly) ordination-fees, or profits in any way connected with ordination. The recovery of money for ordination was denounced, indeed, as simony;\* and the old laws against absolute ordination were re-enacted;† but then the bishops were not actually punished for this simony, and absolute ordinations were connived at, or declared to be fit matter for a dispensation under certain circumstances. A wholesome regulation was made by pope Alexander III.‡ to the effect that every bishop ordaining without a title should be bound to support the ecclesiastic so

\* Decretal., lib. v. tit. 3, cap. 39.

† Council of Placentia, A. D. 1095, can. 15; London, A. D. 1125 can. 8; Lateran. 3, A. D. 1179, can. 5.

‡ Conc. Lateran. 3, A. D. 1179, can. 5.

ordained until provided with a sufficient maintenance by his position in the Church. If this enactment had taken full effect, it would have served as a considerable check upon the abuse; but an evasion was soon invented, in the shape of what was called "*Titulus patrimonii*," *i. e.*, the principle that any one who possessed private property or means for his own sustenance might still be ordained without a title, it being evidently the design of the old rule "*Ne quis sine titulo ordinetur*," and also of the new regulations, simply to take care that there should be no paupers among the clergy. Personal property, in fact, was thus regarded as a title. The candidate was asked if he possessed sufficient property to qualify him for ordination; and his answer in the affirmative was often too easily accepted. So that the evil soon returned in all its former magnitude; and penniless priests are said to have swarmed like locusts.

No new means of amassing ecclesiastical wealth were now discovered; the mine had already been fully explored, and every source of profit had been turned to account. Indeed, some of these sources seemed now to be nearly or quite exhausted. Large donations and testamentary bequests became much more rare than formerly; for, although it was still customary for the dying to remember the Church in their wills, and still the practice to make pecuniary sacrifices for the quieting of conscience, yet it had been discovered that much smaller sums than had formerly been supposed were sufficient for these purposes. The grandson of a pious knight who had presented silver candlesticks and lamps for an altar, now contented himself with providing tapers for the candlesticks and oil for

the lamps; and many a noble lady whose grandmother had presented an altar-cloth richly adorned with gold now thought it sufficient to provide the old ornament with a new covering. This arose partly from a conviction that the Church was rich enough, if not too rich, already; and that every donation was only like a **drop** cast into the ocean. Besides this, princes and nobles had learnt to attach a higher value to their land; the worth of this possession having become more apparent in proportion to the progress of civilization and social order. At the same time, the people in general were disgusted at the extravagant expenditure and luxurious habits of the clergy; and there was a prevalent impression that the corruption of the clerical body was to be traced in a great measure to its wealth,—a fact to which attention was especially directed by Arnold of Brescia in the middle of the twelfth century. The same language was held by all the succeeding sects of Cathari and Stedingers, Petrobrussians and Henricians, Waldenses and Albigenses, Beghards and Beguins, brothers of the Free Spirit and of the Free Mind, who, with equal zeal, although not all alike in spirit, called aloud for the reformation of the Church.

The Church, however, now derived great pecuniary advantage from the necessities of noblemen and others who, on joining the crusades, were often obliged to sell or pledge their estates for ready money in order to meet their expenses. In these cases the Church often became the purchaser, or lender, on the most profitable terms. “He that hath no sword, let him buy one,” was applied by St. Bernard to this exigency. On all sides lands were offered for sale, and commonly offered in the first instance to the nearest

bishop or abbot; and, how little soever the Church might offer, it was tolerably certain that there would be no higher bidder. Under these circumstances the advantageous purchases of the Church were very large; many mortgaged estates also fell into its hands after the death of the crusaders in a foreign land, whose heirs were unable to redeem the property; and thus the accession of land to the Church during the mania of the crusades was enormous.

At the same time some successful attempts were made to improve the produce of tithes. The opposition of the laity to this payment had now been almost universally overcome by obstinate perseverance in the demand. The Church had also become more skilful in the detection and prevention of fraud in this particular, and hence even the attempts at practising such fraud had become more rare. During the thirteenth century there was greater facility than formerly in raising tithes from the produce of trade and industry, as well as from landed property,—a facility which was promoted by the circulation of the false Decretals; and in some places, but not very extensively, the laity were induced to pay first-fruits as well as tithes.

Some deductions, however, must be made on account of difficulty and loss incurred by the Church in the administration of her property, notwithstanding her financial dexterity and skill, and in spite also of various decrees of popes and councils directed against sacrilegious spoliation and plunder.\*

And it must not be forgotten that the great wealth of the Church was not entirely misapplied or wasted.

\* These decrees, from Gregory VII. to Alexander III., are collected by Thomassin, part iii. liv. i. c. 11, n. 3—5.



By charitable and literary foundations, as well as by the encouragement of trade and manufactures, and the impulse thus given to mechanical skill and the practice of the fine arts, it must be confessed that during several centuries the application of Church property conferred a great and valuable boon upon mankind.

We have already seen that, before the middle of the tenth century, it had become customary to permit the laity to exchange the performance of a prescribed penance for the payment of a sum of money; in other words, to purchase an indulgence or remission of penance. Still worse, they were permitted to exchange the act of penance, not for money, but for some other act; *e. g.*, the being present at a certain church on a given day, or the repeating of the paternoster before a certain altar. Usually, however, such indulgences were granted only with reference to special and single sins, so that for every new offence a fresh indulgence was to be procured; and this process often became expensive or burdensome. During the present period, however, much was accomplished by the introduction of plenary indulgences. Pope Urban II., at the Council of Clermont, in 1095,\* declared that, to every one who should join the crusades for driving the Saracens out of Palestine, this act should be reckoned as a full discharge from all penances which he might have incurred, and he should also acquire the remission of all punishment to which he might have become subject by the sins of his whole life. And the bishops were enjoined to publish this decree as extensively as possible in their respective dioceses. To a great extent this offer was accepted, not in the sense in which it was

\* Can. 2.

made, as relating to a remission of ecclesiastical penances, but as supposed to secure the Divine forgiveness for all sins committed. It was also expressly declared that the benefit of the indulgences could extend only to true penitents. But it surely must have been understood, that, while men paid a high price, even the price of their estates and lives, for this indulgence, they regarded the grant as one of extraordinary promise; that, in fact, they expected to die as martyrs, with all their sins forgiven; their idea being that their souls, yielded up in the promised land, would without any doubt or difficulty go direct to heaven. This error was doubtless connived at, if not encouraged, by the apostles of the crusades, and the preachers of the indulgence. Certain it is that the enormities perpetrated under the supposed shelter of this indulgence were excessive, including the massacre of the Jews before the crusaders started, and the most wanton debauchery. The sacred camp was a scene of the vilest profligacy and the worst abominations, intermingled with solemn litanies and processions. Such was the effect of an idea in the public mind, however mistaken, of having obtained a complete dispensation for sins.

When the fervour of the crusades had abated, the system of plenary indulgences was not suffered to decay. It was applied to other cases, and was favourably entertained. When a bishop wanted to repair a church, to build an episcopal palace, to throw a bridge over a stream running through his domains, or the like, it was sufficient to proclaim a corresponding indulgence, and hands were soon forthcoming for the work. Even more trifling services soon began to be purchased with indulgences, and in this way the relax-

ation of the ancient discipline and system of penance, already begun, was completed; while the false and pernicious principles on which that system had been created, instead of being done away, were only extended and confirmed.

We must not suppose that the popes of this age were insensible to the abuses connected with this system of penance, although they were unable or unwilling to explode the system itself. Gregory VII.\* and Urban II.† announced the distinction between true and false penitence as one which needed to be carefully observed. Innocent III., by a special decree, endeavoured to restrain the bishops from the indiscreet granting of indulgences;‡ and it was this pontiff who recognised and formally established the law of compulsory yearly confession by every layman to his own priest, at Easter.§ He also enjoined the priest, not merely to hear the confessions of the people as they were disposed to make them, and to impose the proper penance, but also to institute inquiries and make an examination by which he might become better acquainted with the state of the penitent's mind and the circumstances of his sins, so as to be able to give him good advice, and to apply an appropriate and effectual remedy. It might have been foreseen that even this regulation would become a source of abuse, and would lead to an inquisitorial system of the worst description. But perhaps it was the best remedy which Innocent, with his views of religious truth and duty, could devise. We may well be thankful if we have ourselves arrived at a more correct appreciation of the liberty wherewith Christ makes his people free, while yet He

\* Gregory VII. Epp. lib. vii. ep. 10. † Council of Melfi, can. 16.

‡ Decretal. lib. v. tit. 38, c. 14.

§ Couc. Lateran. 4, can. 21.

effectually teaches them to deplore and renounce their sins.

In the course of the eleventh century, prohibitions of matrimony were greatly extended, reaching to many degrees of consanguinity beyond those which had formerly been prescribed as the limit, and were sanctioned by Alexander II.\* The burden of this new regulation was found, however, to be intolerable. It was relieved by pope Innocent III., in the fourth Lateran Council, A.D. 1215, limiting again the prohibitions to the fourth degree.† At the same time, several kinds of affinity which had been reckoned as impediments were now discharged from the list, and it was declared that none but the first degree of affinity should be interpreted as a bar to matrimony.‡ Impediments arising from the relation of sponsors were, however, suffered to remain. In 1235, Gregory IX. extended this impediment of spiritual relationship so far that the children of priests should never marry any parties who had been baptised by their fathers in the exercise of their office;§ and this continued to form part of the canon law until the Council of Trent.

The publication of banns,—being a more formal revival of the ancient practice of declaring before the Church the intention of parties to marry, which had fallen into disuse,—was made legal and binding by Innocent III. It was a somewhat later regulation that this publication of banns should take place on

\* Deccr. Caus. 35, cap. 2, qu. 5, forbidding marriages to the fourteenth degree, according to the computation of civil law.

† Conc. Lateran. 4, can. 50; also Decretal. lib. iv. tit. 14, c. 8.

‡ Conc. Lateran. 4, can. 50.

§ Decretal. lib. iv. tit. 11, cap. 7, 8.

three successive Sundays, or festivals, during Divine service.

Most remarkable, during this period, was the multiplication of laws against heretics. Until the middle of the eleventh century, zeal against heresy, in the strict and proper sense of the term, appears to have been unknown in the new Christian states of the West. In these quarters, heresy itself could not obtain a footing for several centuries after the irruption of the barbarians; for the most part, the men of those days did not possess that degree of intellectual culture and activity which would lead to religious inquiry, and they were almost universally content to believe implicitly what the Church thought proper to receive and teach. In the middle of the ninth century, the monk Gottschalk was declared a heretic by one council at Mayence, and by another at Chiersy; but the worst punishment inflicted was that, by the latter council, he was obliged to recant, and then confined in a monastery in order that he might not withdraw his recantation; while even these proceedings drew down upon Hinemar, archbishop of Rheims, who had taken a lead in them, the bitterest reproaches of severity and cruelty from the majority of his fellow-bishops. The medieval Church had not yet learned to chastise heresy with whips and scorpions; she was now only beginning to feel her way in this matter. This appeared still more strikingly in the case of the celebrated Berengar, who opposed the popular idea of transubstantiation. On this subject the whole age was against him; he was the object of popular horror as a heretic; and as such he was formally condemned by Leo IX. Still, however, and after this condemnation had been

repeated by four Gallican councils, he continued to maintain his position that the bread in the Lord's supper is not changed into the body of Christ. And what followed? Berengar was cited to Rome by Nicholas II., and there made to subscribe a formula in which he professed to receive the universal faith of the Church on the subject of the Eucharist. The same process, but no more, was twice repeated during the pontificate of Gregory VII.; and this pontiff was not willing that any further molestation should be offered to a man who continued to maintain and teach a doctrine at variance with the tenets of the Church.

Even during the more frequent occasions which arose in the course of the twelfth century, the Church was but slow in learning the practice of subduing heresy by force. At the beginning of this century appeared the Cathari, especially in Italy,—probably an offshoot from the more ancient oriental Manichees,—who contributed to awaken, even in the minds of those who did not concur in their particular errors, a spirit of opposition to received dogmas. Peter of Bruys and his pupil Henry, Arnold of Brescia and Peter Waldo, were animated by a spirit altogether different from that of the Cathari; they had a more correct perception of Gospel truth, and directed their efforts towards the propagation of real Christian knowledge among the people; but it is probable that the impulse and excitement occasioned by the Cathari gave them more ready access to the popular mind than they would otherwise have possessed, with an opportunity of disseminating their sounder doctrines. At first, this movement was regarded patiently, or with indifference and apathy, by the bishops and clergy; and afterwards, when the number of the sectarians

had become too great to be ignored, still the proceedings taken against them, on the part of the Church, were by no means violent. The greater number of the sectarians, both of the worse and the better description, were found in the south of France; and by a Council of Toulouse, in 1119, at which Calixtus was personally present, it was merely decreed that all heretics and deceivers of the people should be thrust out of the Church, while the civil magistrate was charged to restrain them.\*

After this, indeed, great progress was made in the art of defensive warfare against heresy, and zeal against heretics became more and more inflamed. Civil magistrates were found not to be active in repressing heresy; and heretics themselves cared little for excommunication, while, in some cases, they were even protected by the magistrate, or by some powerful neighbour. What, then, was to be done? In the first place, measures were taken to arouse the popular mind against the enemy, St. Bernard rendering good service in this matter; and then the Church called upon the higher magistrates, kings, and princes, to undertake the cause of the Church for their own sakes. Bernard succeeded in kindling the spirit of the people by preaching this crusade against heretics; nor was it difficult to persuade sovereign princes to visit the offence of heresy with capital punishment. In the course of the twelfth century, several heretics were burnt in France, and during the following century the practice became general. In England, A.D. 1159, thirty men and women who had come from Germany to this country, having been denounced as heretics by a council at Oxford, the king

\* In earlier times, *e. g.*, under Theodosius, laws against heretics were very stringent.

caused them to be branded, flogged out of the town, and turned naked into the fields, where they perished from cold and hunger,—all persons being forbidden to render them any assistance.

In 1209, Innocent III. formally proclaimed a crusade against the Albigenses in the south of France; a proclamation which had the effect of stirring up the minds of the people against them to the height of a blind and infuriated frenzy. Already, in 1207, he had written an epistle, calling upon Philip Augustus and the barons to undertake an expedition against them; and in 1208 he repeated the same call still more urgently, after his legate, the infamous Peter of Castlenau, had been killed by the heretics at Toulouse.\* In the fourth Lateran (General) Council, A.D. 1215, Innocent made provision for the most certain and effectual discovery and punishment of all heresy, or every opinion at variance with the doctrines of the Church in its rise and its development, by ordaining that proceedings should be taken against parties on suspicion of heresy, who were required to clear themselves to the satisfaction of the Church. Bishops were required to visit,—either personally, or by their archdeacons, or other commissioners,—all parts of their diocese suspected of heresy, and to take an oath from the inhabitants that they would not harbour a heretic; while hesitation to take this oath was, of itself, to be regarded as a proof of heresy. It was provided that any temporal sovereign who, upon denunciation and requisition of the Church, might fail to purge his dominions of heresy, should himself be subject to excommunication

\* Innocent III. Epp. lib. x. ep. 4, 9; lib. ix. ep. 26—29.

† Conc. Lateran. 4, A. D. 1215, can. 3.



by the metropolitan and bishops of his province ; and if the Church did not receive satisfaction within a year, notice was to be given of this fact to the holy see, and a crusade, or general war against the delinquent protector of heresy, was then to be commenced,—all his vassals and subjects being, in the first place, absolved from their allegiance, and his goods declared to be the property of the first orthodox churchman who might obtain possession of them. Inferior magistrates, in such cases, were simply pronounced infamous and incapable of holding office, or of giving testimony in a court of law ; and it may be observed that, after the example which had been given in the case of the Count of Toulouse, such denunciations could not but produce a considerable effect. At length, by a Council of Toulouse, in 1229, the formidable system of the Inquisition was established, and its fearful task distinctly assigned to it. The following is an abstract of the decrees of this council :—\*

1. Archbishops and bishops were ordered to appoint in every parish a priest, and two or three approved laymen, to make inquisition after heretics, who should be bound by oath to discover such persons, and to present them to the bishops, to the lords, or to their subordinate officers.

2. Abbots were enjoined, where they had jurisdiction, to perform the same duties.

3. Lords were required to search after heretics, and to destroy their places of resort.

4. The penalty of loss of their estates was decreed against those who knowingly suffered the presence of

\* See Labbe, tom. xiii. p. 1233, *seqq.*

heretics in their territories. The houses where heretics were found not to be spared.

5. Punishments were to be inflicted upon every one who should neglect to fulfil the requirements of the preceding canons.

6. Heretics were to be destroyed, and their lands confiscated.

7. Officers who should be careless and negligent in searching after heretics were condemned to lose their offices and estates.

8. None were to be condemned for heresy, unless declared guilty by the bishop of the place.

9. One lord was authorised to enter the territory of any other, by himself, or with his officers, to apprehend heretics.

10. Heretics who should voluntarily recant, were not to continue to reside in the neighbourhood in which they dwelt before they recanted, but to be placed among strangers free from suspicion of heresy; to wear two crosses on their clothes, to possess certificates from their bishops, to be disqualified from filling public offices, and so to continue till reinstated by the pope or his legate.

11. Heretics converted by the fear of death were to be shut up in a walled place, lest they should relapse and corrupt others.

12. All men above fourteen years of age, and girls above twelve, were commanded to abjure heresy of every kind, to make a profession of faith to the Roman Church, and to engage to prosecute heretics.

13. All persons of sound mind omitting to confess their sins twice a year to their priest, and to partake of the Eucharist at Christmas, Easter, and Whitsuntide, were declared to be under suspicion of heresy.

14. Laymen were forbidden to possess any books of the Bible, except a psalter or breviary, with a rosary.

15. Persons suspected of heresy were forbidden to practise physic, or to approach the sick after the administration of the viaticum.

16. None but curates were authorised to receive last wills and testaments.

17. Prelates and barons were forbidden to employ heretics, or suspected persons, as domestics, or otherwise.

18. All those against whose character persons of credit should give evidence were declared to be under suspicion of heresy.

These canons were, indeed, of a local character, being designed to take effect in the dominions of the Count of Toulouse, and in other parts of the south of France, then known as the resort of heretics; and therefore they do not possess the power of laws universally binding. Hence they were repeated in a Council of Beziers, or rather, were there for the first time accepted by the bishops then assembled on behalf of their several dioceses.\* In the same year, they were made, for the most part, binding upon the whole Church. Pope Gregory IX. adopted the greater part of the decrees of Toulouse into a new Constitution, containing an universal regulation for conduct to be observed towards heretics, as part of universal ecclesiastical law. By another decree, probably of the year 1237, the same pontiff transferred the task which, according to the decree of Innocent III. and the Council of Toulouse, the bishop of every diocese was charged to commit to an episcopal delegate, to

\* Council of Beziers, A. D. 1233.

certain commissioners appointed by his own authority, namely, the monks of the new institute of St. Dominic, who were thus constituted a standing Inquisition ; and the decree was addressed not to the bishops, but directly to the superiors of the order,—a manifest and important invasion upon the prerogatives of bishops. Succeeding popes sometimes nominated Franciscan monks, or Minorites, as inquisitors.

The two most powerful sovereigns of the time, the emperor Frederic II. and Louis IX. of France, did not hesitate to give to the new law the sanction of their authority ; thus establishing the principle that it belonged exclusively to the Church to take cognisance of the crime of heresy, and to adopt measures for its extirpation,—the State having nothing more or less to do than to execute the ecclesiastical sentence.

This system was worked, at first, only in those countries and places which were the chief seats of heresy, namely, the south of France, and certain provinces of Germany and Italy. Perhaps, even the bishops at Toulouse and Gregory IX. himself hardly regarded the instituted Inquisition as of an universal and permanent character ; but subsequently it began to be more extensively introduced. Princes and people, however, soon became wise enough to raise up a barrier against this threatened encroachment of the spiritual power ; and hence the Inquisition, with all its severities, was never universally established. Still, the regulations relating to this office continued to form part of the canon law, and were occasionally and partially carried out, so as to be a means of terror to the laity.

It was impossible for force to prevail finally and completely against opinion,—impossible, we may say

still more strongly, for the craft or passions of men to suppress the truth of God, and put a stop to the progress of the Gospel; and therefore the end proposed by these severe laws was but partially obtained. Coercion, indeed, in many cases only provoked and aggravated resistance; while the spectacle of a burning heretic excited ill-will against the Church in the minds of many who had hitherto been free from all tendency to favour (so called) heretical opinions.

Monastic institutions had now become completely incorporated with the Church, with which formerly they had been merely in contact, and sometimes even in collision. The number of monks increased with incredible rapidity. After the end of the eleventh century, scarcely any ten years elapsed without witnessing the formation of a new order of monks or some fresh monastic institution. And this progress would have continued throughout the thirteenth century, had not Innocent III. restrained it by the prohibition of new orders.\*

Since the period of monastic reformation, the discipline and morals of the monks had again been very generally relaxed, except among the monks of Clugny, who still adhered to the rules of Benedict as closely as possible, considering the vast increase of their numbers and their great wealth, and were noted for propriety of conduct. But even the strictness of their discipline was not sufficient to satisfy the minds of some men; and hence the foundation of the monks of Grammont, by St. Stephen of Tierno in 1076,—of the Carthusians, near Grenoble, in 1086, by Bruno,—and of the Cistercians, in the diocese of Chalons, in 1098, by a

\* Conc. Lateran. 4. can. 13.—*De novis religionibus prohibitis.*

certain Robert. These orders were founded on the rule of Benedict, with additions, in order to secure still greater strictness and austerity; and, in the course of thirty years, the Cistercian order, which reckoned St. Bernard among its members, rose to such a pitch of credit, influence, and wealth, that it stood almost on a par with the great Benedictine order of Clugny. Robert of Arbrissel founded a republic of nuns and monks at Fontevraud. In 1120, St. Norbert established the order of the Præmonstratensians; and, Norbert having become archbishop of Magdeburg in 1126, the order afterwards became exceedingly flourishing and extensive.

Now also sprang up two entirely new kinds of societies,—the Spiritual Knights in the twelfth century, and the Mendicant orders in the thirteenth; and these were of great moment to the Church.

The Spiritual Knights owed their origin to the Crusades. The three principal of these orders were formed in Palestine; and the professed object of all alike was to carry on hostilities against the enemies of the faith. In 1113, a society of knights was formed at Jerusalem, under the name of the Hospitalers of St. John (afterwards called Johannites), charging itself with the care of the sick and wounded in the hospital of St. John at Jerusalem, with which was speedily combined the duty of perpetual war against the Mahomedans. In 1118 a second society was formed, for the same purpose, at Jerusalem, under the name of Templars. In 1190 arose the order of German Knights, under the same rule as the Templars, and differing from them only in admitting into their society none but Germans, while the Templars consisted of knights of all nations. These were

all monkish knights, or knightly monks. They were actuated by a belief that it was a pious work, acceptable to God, to put infidels to death,—a belief common to them with all crusaders, and agreeing with the popular opinion of Europe; the difference being that, what the majority took up as an occasional or temporary task, these knights professed as the work of their whole lives. No doubt, besides this fanatical spirit, the prospect of wealth and honour to be obtained by such combinations was a motive with many of these knights; as may appear from the nature of the privileges which they obtained from the pope, and from the actual results of their efforts. In the course of half a century from the date of their formation, each of these three orders possessed property in Europe and Asia, sufficient, altogether, to form the revenue of a kingdom, and had also attained a degree of power beyond that of any European monarch. To say the least, this proves that the fanaticism of these knights was such as entirely consisted with a ready perception of their own interests.

At the beginning of the thirteenth century, two men, in different places, about the same time, conceived the idea of founding a new society, differing from all others, inasmuch as its members should always, in appearance at least, be destitute of wealth, and should subsist entirely upon alms. With a view to establish this kind of communism, Francis, of Assisi, collected a number of enthusiasts in Italy; and afterwards Dominic, a native of Castile, organised another fraternity of the same kind in the south of France, who bound themselves not to possess any property even in common, but to procure all things necessary for their subsistence by begging, in the

strictest sense of the expression, and never to acquire even in this way more than enough for the supply of a single day. The new movement did not at first win favour at the papal court; but in 1203 Innocent III. found himself obliged to sanction the society and rule of Francis, who was now no less than a saint in the popular opinion of Italy; and in 1216 his successor, Honorius III., confirmed the similar institute of Dominic. These societies were peculiarly adapted for wide dissemination. They could exist anywhere and everywhere, having no occasion to wait for the foundation and endowment of costly monasteries, while enough for their purposes was at hand wherever they could find any kind of shelter. The members of these orders had also at the same time greater access to persons in every condition in life, and especially to the working classes. The Franciscan entered every cottage, and knocked at those doors which would have been too low and too narrow for a fat Cistercian monk. He had the manners, habit, and appearance, of a poor man,—conversed in the poor man's dialect,—and was in every way adapted to gain the confidence of the lower orders of society. Besides this, the mendicants established an intimate connection with the laity everywhere by a system of affiliation, admitting those who were not desirous or capable of entering their orders into a kind of association with themselves, under the name of Tertiaries (Tertiaries of St. Francis, Tertiaries of St. Dominic). These Tertiaries were bound by no monastic vow, but simply placed under obligation of promoting the interests of the society to which they were attached, while they were themselves living in the world, and were engaged in their ordinary occupations; in return



for which services they were to be regarded as belonging to the family, and partakers of all its blessings. They were also to consider themselves subject to the superior of the order, and pledged to implicit obedience to his commands. In the middle of the thirteenth century there was hardly any place, certainly no province, in which the Franciscans and Dominicans had not their Tertiaries; and hence it is not strange that at this time the influence of these two orders exceeded that of all others.

In the foregoing period, the monastery of Clugny had become the centre of a large number of associated monasteries, which gradually spread all over Europe, and formed the first instance of a monastic republic or confederation. This was a new feature in monastic history; and during the period now under review, this pattern was extensively followed. No one now thought of founding a monastery, but of instituting an order. The Benedictine order was monarchical,—the abbot of Clugny being the absolute master of all its monasteries. The Cistercian order was more of a republican, or rather aristocratical, character,—the abbot of Citeaux giving the abbots of subordinate monasteries some share in the government of the whole body, and also conceding to them more legislative power than was accorded to the Benedictines. These abbots had also the chief part in the election of the abbot of Citeaux. At certain times the abbots of the several monasteries assembled, as deputies of the order, in a general chapter, at which all business relating to the whole body was transacted, and all laws propounded and enacted by which the society was to be bound. By this arrangement all jealousy towards the parent monastery was avoided, and many

other advantages secured, especially that of obtaining for each abbot a high degree of respect and influence in his own monastery, while he was regarded not as an isolated governor, but as a member of the whole ruling body of the order. The essential features of this Cistercian institution were adopted by the new order of spiritual knights. The grand master corresponded to the abbot of Cîteaux, and the commanders of provinces to the several abbots of inferior monasteries; all together forming the chapter or standing council of the grand master. The institution of a general chapter was adopted by the Carthusians, Præmonstratensians, and other later orders. In 1215 Innocent III., in his Lateran Council,\* made it a law that each of those orders should hold a chapter once in every three years, "like the Cistercians."

The institution of the Mendicants, on the other hand, was more of the monarchical kind, modified by some admixture of democratical elements. At the head of the whole body was the general of the order, who had nothing to do with any particular monastery. All stood under the general as a common superior; and the subordinate heads of particular monasteries were not abbots, but provincials or priors. All members of the order had a common share in the election of the general; and set periods were appointed for a general chapter, which was composed not only of provincials or rulers of provinces, or the priors, but also of deputies elected by each monastery. The general, with a senate of assistants, resided in Rome; and by this means the order had the advantage of immediate communication with the papal see.

\* Conc. Lateran., A. D. 1215, can. 12.

It was arranged by these different congregations that no one should receive into its body voluntary deserters from another. And it was also understood that there should be a certain distance between the religious houses of the different orders. This was to avoid interference, and for the sake of peace ; but animosities were not wanting.

These orders of monks were supported at first, to a great extent, by voluntary contributions ; but they soon got into their hands large portions of Church property.

The abbots, especially the great abbots of Clugny and Cîteaux, and the generals of the Dominican and Franciscan orders, soon became formidable to the bishops, whom, in fact, they greatly exceeded in power ; and they stood in close connection with the pope, who often employed them as his legates in matters of importance. The monastic orders were, indeed, the natural allies of the papacy, and were always ready to assist it in carrying out any of its pretensions which did not interfere with their own interests. The popes gave the monks protection against all opponents or rivals ; and they received in return not only a portion of revenue from the monasteries, but, what was of far greater importance, zealous friends to advocate the cause and uphold the interests of the papacy all over Europe. Great privileges were, therefore, accorded to the monks. Sometimes their property was declared exempt from the payment of tithes ; sometimes their churches declared to be beyond the reach of an interdict which might be imposed upon the whole province in which they were situate : and they were generally made independent of episcopal jurisdiction. By degrees, however, the

popes became disposed to be more sparing in the grants of such privileges and exemptions; and hence arose a practice of forging documents professing to contain such grants from earlier pontiffs.\* The monastery of St. Medard, at Soissons, became famous as a source from whence such forged documents were liberally supplied; and this practice had become so notorious by the beginning of the thirteenth century, that from that time there was comparatively little opportunity of making use of it. The connection with Rome was, however, now sufficiently established to insure the essential independence of the monasteries from undue or oppressive interference on the part of the bishops, while the bishops were also secured in the exercise of their rights as ordinaries.

The power of the bishops in the government and administration of their dioceses had become greatly limited, partly by the power acquired by the chapters, and partly by the increase of ecclesiastical patronage in other hands. At the same time, as we have seen, the archdeacons also gradually lost their power, and no longer possessed that large share which they once had in the administration of diocesan affairs. But this suppression of their power was not completely effected until the middle of the thirteenth century; † for the archdeacons had often an influential party in the diocese, and their hands were strengthened sometimes by the co-operation of the chapters, sometimes by their connection with powerful families, and sometimes by their connection with Rome. In order to

\* See Gregory VII. *Epp. lib. i. ep. 33.*

† *Concil. ad Vallem Guidonis* (Laval, in the province of Maine), A. D. 1242, can. 4; *Concil. Salmuriens.* A. D. 1253, can. 7, 8.

undermine their power, the bishops had appointed their own vicars and officials, who acted as their delegates and commissioners ; thus taking into their own hands (by deputy) the business which the archdeacons had assumed a right to discharge. But this was accomplished only by degrees. The bishops were now also often assisted by titular bishops as coadjutors ; often in the persons of those who had been consecrated to dioceses in the East, and afterwards expelled by the victorious enemies of the Christian name.

We have already seen that, before the conclusion of the former period, the popes had actually attained to that position in reference to the whole Church which had been assigned to them by the forged Decretals of the Pseudo-Isidore. During the first twenty-five years of the present period,—the space which intervened from the accession of Leo IX. to that of Gregory VII.,—this position was formally and universally recognised. Amidst those efforts at ecclesiastical reformation to which they were excited by the emperor Henry III., the bishops of Rome came to be expressly acknowledged as possessing supreme power in the whole Church. Even under Leo IX. the French bishops distinctly recognised the pope as *summus rector ecclesiæ*.\* Gregory accordingly found the papacy already established on the Pseudo-Isidorian basis ; and it was the task of himself and his successors to introduce a new state of things, in which the popes were to be something more than the Pseudo-Isidore had made them. According to the Isidorian system, to the pope was assigned the chief or supreme power in the Church ; but, according to

\* Acts of the Council of Rheims of this date.

the plan of Gregory and his successors, all power in the Church was to be vested in his hands, so that the pope was to be not merely the supreme, but the sole, ruler of the ecclesiastical body; he was to be no less than *episcopus ecclesiæ universalis*, and all other archbishops and bishops were to be regarded merely as his deputies or vicars in their several districts.

The steps by which this change was accomplished were the following:—

1. In 1079, Gregory VII. exacted a new and unprecedented oath of allegiance from the new patriarch of Aquileia, before he should receive the pall; and by a Council of Rome, in the same year, it was enacted that in future all bishops should take this oath previously to their consecration at Rome. The oath was framed according to the feudal pattern, and to it was appended also a promise on the part of the bishops to defend the supremacy of the Roman Church and the regalia of St. Peter against all the world, “*contra omnes homines*,”—to attend without hesitation all councils to which the pope might summon them either by brief or by legate,—to receive respectfully (*honorifice*) all legates sent to them by the holy see,—and to renounce intercourse with all persons who should fall under the papal ban. This oath was to be exacted, it will be observed, only from those bishops who were immediately subject to the see of Rome, and from metropolitans who should thence receive the pall.\* No protest was made against this enactment during the pontificate of Gregory. Opposition arose, however, under some of his successors; not from the archbishops themselves, but from the sovereign princes of the states to which they be-

\* Baron. ad an. 1079, n. 11; Conc. Roman. A. D. 1079.

longed. In 1100, the king of Poland expressed to Paschal II. his astonishment at the oath which he had proposed to his archbishop of Cracow, saying that he would never suffer him to take it; and the same resistance was made in Hungary, in 1110. But, as the metropolitans themselves were not disposed to resist, the obstacles raised by the temporal power were but of little avail. Metropolitans often went to Rome to fetch their pall, and there took the oath without hesitation; and at the beginning of the thirteenth century all the metropolitans of the Western Church had taken this oath, and were thus in fetters to the pope. By degrees, also, the custom gained ground of consecrating foreign bishops at Rome, by whom also the Gregorian oath was taken. In process of time the form of this oath was somewhat altered, and it received the addition of two new articles tending to make the bishops still more completely subject to the Roman see.

2. Hitherto it had been the right of metropolitans to confirm the election of their diocesan bishops; a right which had been left in their hands by the Pseudo-Isidorian Decretals, and was practised uninterruptedly until the end of the eleventh century.\* But from the time of Gregory VII. this right was claimed, and eventually exercised, by the Roman see, evidently in accordance with the design of making Rome the centre and source of all ecclesiastical power and authority. Not that this power of confirmation was taken completely out of the hands of the archbishops during this period; but it was now being gradually attracted to Rome.

\* Thomassini Vet. et Nov. Eccles. Discipl., tom. ii. lib. ii. c. 29, 30, 42.

3. The new character given to papal legates contributed to the same result. They were sent forth not merely on special occasions, or for the discharge of some single act, but as plenipotentiaries, and with power extending over an unlimited period of time; being authorised, at their pleasure, to convene councils, which the metropolitans and bishops were bound to attend,—to preside at these councils,—and to reserve for the decision of the pope every question which these councils did not decide in accordance with their views. The pope thus virtually annihilated the jurisdiction of the bishops and metropolitans, by deciding at his own tribunal cases for which an appeal properly lay to them, or to the provincial council; and he often undertook to decide in the first instance upon causes which belonged properly to episcopal jurisdiction. In this way the pope was acting as the ordinary of the whole Church; exercising, not merely a supreme, but a concurrent and even pre-eminent, jurisdiction everywhere.

This point was in several instances contested during the pontificate of Gregory VII., by bishops of Germany, England, France, and Spain. A more formidable opposition afterwards arose on the part of sovereign princes, who could not but perceive how far such legatine powers were likely to interfere with their own supremacy. In 1090, William, king of England, declared to Urban II. that no legate should come into his kingdom without his permission, and extorted from the pope a promise that he would never send one without having first sought such permission. In 1119, Calixtus II. renewed this promise to Henry I. In 1188, William, king of Scotland, extorted the same promise from Clement III. The kings of France



must have already come to an understanding with the pope on this point; for, in 1168, Alexander III. wrote to Louis VII. that he would send a legate by his permission. But this opposition on the part of princes was neither universal nor lasting. The new legates were received without opposition, in Germany, before and after the reign of Frederic I. In Poland and Hungary, in Sweden and Denmark, and even in France and England, the popes often succeeded in forcing the entrance of a legate against the will of a weak prince, or of introducing one, as it were by stealth, by sending a deputy armed with the power of a legate, only without the title. Generally speaking, in the course of the thirteenth and fourteenth centuries, men learnt to submit to the evil which at first appeared to be intolerable.

Besides this, Paschal II., the first pope of the twelfth century, declared that the legates were entitled to receive support from the provinces to which they were sent; and this they received under the name of procurations, a term formerly applied to the fees paid to the bishops at their visitations. These "procurations" became a means of great exaction very burdensome to the Church, and a source of wealth to papal favourites who were selected to fill the office of legates. In short, the legates were enormous plunderers.

4. A fourth means of grasping at the sum total of ecclesiastical power consisted in attaching the right of dispensations exclusively to the Roman see. Until the time of Gregory VII., this right had belonged solely to the bishops; but Gregory established the principle that in all cases in which a bishop could grant dispensation or absolution, the pope was com-

petent to do the same, so that any party requiring such grant was at liberty to apply either to the one or the other as he pleased. He recognised indeed the right of bishops to make such grants; but he professed to regard it as having been conceded to them merely for the convenience of parties requiring the grant, maintaining that it was the indisputable right of the pope to bind and loose, when, where, whomsoever he pleased.\* He affected to believe that much of the prevalent relaxation in ecclesiastical discipline was attributable to the abuse of the power of dispensation and absolution on the part of the bishops;† but he made no further attempt at taking the power entirely out of their hands. It was a far more wary act of aggression to be satisfied with propounding and acting upon this principle of the concurrent power of dispensation,—a principle which, in fact, involved that of regarding the whole Church as his diocese,—than to make an attempt at wresting the power at once out of the hands of the bishops, which at that time would have aroused a resolute resistance. Gregory was content that the papacy should abide its time in this particular, as in others.

The successors of Gregory had only to go forward in the way which he had pointed out. The custom of applying to the pope for dispensations soon became prevalent, and this too for “*dispensationes antecessentes*,” “*dispensationes ante-factum*,” a form in which they had rarely or ever been granted by the bishops; and when these had been repeatedly obtained

\* Greg. VII. Epistle to the bishops of Liege; Epp. lib. vi. ep. 4.

† On dispensations from A. D. 1000 to A. D. 1200, see Thomassin, part ii. liv. iii. c. 27.—Thomassin treats of the whole subject of dispensations in cc. 24—29 of that book.

(although frequently refused) the idea began to gain ground among the people that the power of granting such dispensation belonged to the pope alone, while at the same time the bishops were the less conscious that anything had been abstracted from themselves. Before the end of the twelfth century it had become the common practice, in seeking for a dispensation, to apply to Rome; and so far had this custom prevailed that the first pontiff of the thirteenth century (Innocent III.) found himself encouraged, without fear of contradiction, openly to proclaim the principle that the pope alone possessed the power of granting full dispensations, and to reduce the power formerly exercised by bishops to the simple privilege of granting an indulgence for forty days.

5. Innocent III. could venture upon this step the more easily inasmuch as the judicial power of the bishops in their several dioceses had been almost annihilated,—a circumstance which greatly tended to establish the idea of an universal papal episcopate, and is to be regarded as another step towards the realisation of the new idea of papal despotism. In the course of the twelfth century, it was established as a custom that in all cases, without exception, an appeal should lie from the sentence of a bishop to the papal see; a practice quite in accordance with the theory of the supreme power of the pope over the whole Church. Afterwards arose the practice of carrying directly to Rome causes which, according to ancient usage and established right, ought to have been taken in the first instance to the bishop's court; and it sometimes happened that causes pending in the bishop's court were suddenly transferred to Rome before any decision had been pronounced. It is obvious that such practices

were consistent with no other theory than that of an universal papal episcopate. If the practice was not derived from that theory, it at all events tended to establish it. It is always a good step towards power to establish certain practices which shall silently infuse into the popular mind those notions or prejudices which may afterwards be employed as a fresh starting-point, or foundation, for new claims or acts of usurpation.

6. That depression of the metropolitan power which had already begun was carried forward during this period; the metropolitans being placed merely in the position of papal delegates, and then retained so far as they were made subservient to papal interests, but no further. The popes often, at pleasure, interfered with their ancient right of consecrating provincial bishops. As late as the eleventh century, this was regarded as the indefeasible right of metropolitans, which could not be questioned or disturbed. Even Gregory VII., although he consecrated some provincial bishops under peculiar circumstances and as exceptional cases, made no attempt to invade the right of metropolitans in this respect; so that, for example, when Robert entreated him to consecrate a new bishop of Malta, he wrote back word to him, that he must first show him that Malta did not belong to the metropolitan province of Reggio, since in that case he would be unable to comply with his request, inasmuch as by so doing he would be infringing the right of the archbishop, and give inexcusable offence to all his brethren the bishops.\* Under the successors of Paschal II., however, it became a common practice for bishops elect to run to Rome for consecration from

\* Greg. VII. Epp. lib. iv. ep. 4, 5; lib. ix. ep. 24.

different provinces; and the popes now began to perform the ceremony without even offering an apology to the metropolitan for so doing. The right of metropolitans to consecrate provincial bishops was not denied; but as soon as it was maintained that the right belonged also to the pope "*ex plenitudine potestatis*," it was, to a great extent, taken practically out of their hands.

Some metropolitans sought to indemnify themselves for their loss by exercising an immediate jurisdiction within the dioceses of their provincial bishops; but the bishops found themselves protected from this invasion by Rome; and such attempts at immediate jurisdiction were expressly prohibited by Innocent III.

7. The popes now appropriated to themselves the exclusive right of convening General Councils; together with the right of convoking provincial councils, and of confirming all synodal acts. (1.) As to General Councils. Gregory VII. began by gradually converting the annual Lent councils at Rome into General Councils, to which he summoned foreign bishops,\* perhaps in virtue of the obligation incurred by the Gregorian oath. He did not cite all bishops, but only certain bishops out of the several provinces, who were to act as representatives of their brethren. In this way, it was easy to pack a council consisting of the pope's creatures and dependents, and thus to rule the Church arbitrarily, but at the same time with the appearance of legal regularity. Gregory, however, did not succeed in this attempt so easily as he perhaps expected. Of the bishops whom he summoned only

\* Thus Greg. VII. Epp. lib. ii. ep. 1, *Ad episcopos et abbates Britanniae*; so also, ep. 29, to Siegfried, archbishop of Mayence; and see also ep. 33.

a few appeared; and from the English bishops he received answer that their sovereign had actually forbidden their obedience to the summons, by declaring that he would not suffer any of his bishops to quit the kingdom.\* He therefore determined to proceed very leisurely in the matter, and not to press his demands too far. He summoned only a few foreign bishops, and those upon whose obedience he could rely. His immediate successors did the same; only all along assuming the right of the pope to convene General Councils, and taking it for granted that no other power on earth was competent to convene them. Urban II. seized a favourable opportunity of issuing a more universal summons, when he knew that it would meet with ready acquiescence, in convening the councils of Placentia and Clermont,—and hence he obtained the desired and important sanction of a precedent. After this, the practice was easily confirmed; especially as, in the independent circumstances of the European states, there was no sovereign who could convene a General or Universal Council. The popes thus obtained the power of convening General Councils; and not only so, but (of course) the power also of postponing them.—(2.) The right had long since been conceded to the pontiff of convening a provincial council wherever he might be in person; and hence the popes had not much difficulty in establishing the principle that their legates could do the same. This practice gained considerable ground before the end of the eleventh century; and it prevailed during the twelfth and thirteenth without opposition.—(3.) Before the middle of the twelfth century, the metropolitans and bishops had become per-

\* Greg. VII. Epp. lib. vi. ep. 30.

suaded of the necessity of sending all the acts and decrees of their councils to Rome for confirmation. The introduction of this most important innovation cost the popes but little effort. From the beginning of the twelfth century scarcely a provincial council was held which was not under the presidency of a papal legate ; and it was assumed as a principle of ecclesiastical law that all acts of councils derived their validity from the authority of the pope. In the course of the twelfth century provincial councils fell almost entirely into disuse. The few that were held were convened merely at the pleasure of the popes, and to carry out their views.

8. The popes now claimed the exclusive right of canonisation. This ceremony arose out of a very ancient practice. As early as the third century it was customary for every Church to commemorate the anniversaries of the deaths of those martyrs who had belonged to its communion. When the age of martyrdom ceased, this honour was paid to other members of the Church who were distinguished for their sanctity, or were said to have performed miracles ; and, in course of time, these individuals received other honours besides the celebration of their anniversary. Until the twelfth century it was the custom for every bishop to admit into the list of saints, or to canonise, whom he pleased within the limits of his diocese. Towards the end of the tenth century, the chapter of Augsburg, being desirous that their late bishop Ulrich should be honoured as a saint not only in that diocese but throughout the whole Church, requested pope John XV. (A.D. 993) to grant letters-patent to this effect, and to enjoin it as the duty of the whole Church to give the new saint due honour. John willingly com-

plied with this request, and in the course of the next century many popes claimed the right of making saints for the whole Church ; but none of them yet thought of forbidding canonisation by bishops for their own dioceses. Thus, in 1153, an archbishop of Rouen canonised a monk of his diocese. But, about seven years afterwards, Alexander III. claimed the power of canonisation as an exclusive right of the Roman see. In the Bull (A.D. 1161), in which he canonised Edward of England, he declared that so high and weighty an affair could appertain only to the pope ; and in 1170 he renewed this claim, by a decree, which was afterwards formally adopted into the canon law.

9. Another, and very important, step towards the establishment of the papal universal episcopate was the assumption of the free and absolute disposal of all ecclesiastical offices. It does not appear to have entered into the plan of Gregory VII. thus to exclude the temporal power from all influence in the filling up of Church offices ; and perhaps it hardly developed itself in the minds of even those popes who took the first steps towards its fulfilment. Down to the middle of the twelfth century, we find no example of the interference of popes in the disposal of ecclesiastical appointments beyond the limits of their own diocese, although they had long since manifested a desire to have an indirect influence in the filling up of bishoprics and abbacies. In the middle of the twelfth century, the popes began for the first time to imitate the practice of temporal princes by sending to the bishops and chapters individuals with letters of recommendation, requesting them to provide those persons with some suitable post in their dioceses or chapters. The first



papal brief of this kind was one by Adrian IV.\* (A.D. 1154), and this was occasioned by peculiar circumstances which seemed to make it unexceptionable. It was addressed to Theobald, bishop of Paris, in favour of the chancellor of Louis VII., asking for a canonry for him,—a request which was readily complied with by the bishop, although probably not without some demur on the part of the chapter. Under the successors of Adrian such recommendations became more frequent; the popes, however, still recognising the right of collation as vested in the bishops and chapter,—in fact, recognising this right by the very act of preferring such requests. Soon, however, the number of these papal recommendations became equal to the benefices in the gift of ecclesiastical patrons; and in some cases these requests (*preces*, as they were called) were not complied with. The “*preces*” were then changed into “*mandata*,” and when obedience to the “*mandata*” was not rendered, they were accompanied with certain executors, charged with the office of putting the nominees in possession of the benefices, in failure of compliance by the bishops.† To this pitch the matter came under Alexander III.,—that is to say, under the second successor of that pope who gave the first example of “*preces papales*.”

The shameless abuse of this practice was carried to an enormous extent under succeeding pontiffs. Before the expiration of thirty years all the benefices in Germany, France, and England, the right of collation to which had been vested in bishops and chapters, were filled with papal “*precists*,” or nominees, and these were for the most part strangers, who were even unacquainted with the language of the country in which

\* *Adriani IV.* ep. 13.

† *Thomassin.*, tom. ii. lib. i. cap. 43.

they were beneficed. The scandal at length became so great, and the protest of the bishops so loud, that a decree proceeded even from Rome itself to the effect that no spiritual person should be competent to hold a benefice with cure of souls in a country the language of which he did not understand. But it soon appeared that even this decree was a delusion; for the popes began to grant frequent dispensations, by which its provision was evaded, not omitting to make a separate charge for these dispensations to their own nominees. Rome had become thus thoroughly expert in the art of plunder.

In this matter the chapters fared worse than the bishops,—the popes making less hesitation to attack their rights, and finding it greatly to their interest to fill the chapters with their own friends and adherents. Still, however, the form of collation was left with the ancient patrons; and, as long as the shadow remained, there was hope that at some future time the substance might be recovered. With the thirteenth century, however, even this shadow passed away. Innocent III. began not only to nominate, but to issue bulls of collation, merely giving notice to bishops and chapters that collation had been made; and, in 1210, he declared that the pope had absolute right to dispose of all benefices in favour of persons who had rendered good service to the Roman see. From this time the popes ignored or set aside, at their pleasure, the rights of all patrons, lay as well as ecclesiastical; and from this time also they assumed the right of their legates to confer benefices, and claimed the power to dispose of bishoprics and abbeys as well as of smaller benefices.

Thus had the Roman see grasped all the rights and

privileges of an universal episcopate ; an event which could not have been anticipated, to its full extent, even by Gregory VII.\* This claim to universal episcopate was favoured and supported by the previous claim to supremacy over temporal princes. Thus Adrian IV., after all his humiliations from Frederic I., assumed it as an incontrovertible fact that the pope was appointed by God himself as the sovereign proprietor of all Christian kingdoms ; and in this capacity he gave permission to Henry II. of England to undertake the conquest of Ireland. Innocent set himself to reduce these principles to a system ; and these claims were, in many cases, too easily admitted by sovereign princes. The world thus beheld the introduction of a new form of government, on the principle of a papal theocracy.

Strong protestations, however, were made, and in some cases effectually made, against these claims and assumptions, by various sovereigns. As long as the popes exercised their pretended authority in favour of the princes, or of those whom the popes were disposed to exalt to the rank of sovereign princes, there was no difficulty. But resistance came, and that with effect, when the pope attempted to depose a prince, or to cross his will and interests. The popes, however, as much as possible, avoided contesting the principle of their theocracy ; they withdrew their claims, or shifted their ground of interference, whenever there was a show of formidable opposition.

10. The growth of papal power was favoured also by the formation of the new canon law, assisted by the Decree of Gratian and the collection of the papal

\* See Greg. VII.'s celebrated Epistle to Hermann, bishop of Metz, Epp. lib. viii. ep. 24.

Decretals. This new canon law, doubtless, owes its origin to that zeal for the study of jurisprudence which awoke in the middle of the twelfth century. About this time a school for the study of civil Roman law flourished at Bologna under the celebrated Irnerius, thousands of students from all parts of Europe being attracted to that university by the fame of this great teacher. A monk named Gratian resolved to engraft also the study of ecclesiastical law upon the studies of this university; and in 1151 he published his manual entitled "*Concordantia Canonum Discordantium*." This was an attempt to reduce the canon law to a scientific form corresponding to that of the civil law. Gratian did not content himself with merely compiling a new collection of canons, and reducing all to a better order, but he introduced a systematic study of ecclesiastical law. Accordingly, the universal zeal for the study of law now divided itself between the civil and the canon law, especially at Bologna and at Paris; and there arose doctors of canon law distinct from mere theologians, at the foundation of whose science lay the new collection made by Gratian, now called the Decree of Gratian. Soon afterwards followed a collection of papal Decretals, which was announced, doubtless under the favour of Rome, as the true source of ecclesiastical law, and very soon came to be more frequently employed as such than even the Decree of Gratian. It is to be observed that Gratian in his Decree had inserted not only the earlier papal Decretals which were included in the collection of Dionysius, and the greater number of those which had been fabricated by the Pseudo-Isidore, but also a number of more modern decretals and pretended judicial decisions. In pro-

portion as the compilation grew into repute, and men became accustomed to regard it as the only repository of ecclesiastical law, so also necessarily the character and credit of the papal Decretals rose; and this naturally gave rise to the idea which possessed the next generation of Bolognese canonists after Gratian. It was discovered that Gratian, not having taken the pains to make his collection complete in respect of papal decrees and ordinances, had left a rich gleanings for a future collector. Hence Bernard of Pavia determined to make a still better use of the sources of ecclesiastical law; and he collected five books of papal Decretals, which, being published in 1190, were received at Bologna with avidity, and made the subject of lectures and of private study. Other such collections were now made, even at the suggestion of popes; and were sent, with papal recommendation, to the universities of Paris and Orleans, Bologna and Padua, in order to receive publicity by means of their canonists. At length, in 1230, Gregory IX. caused the Dominican Raymond de Pennaforti, his penitentiary, to compile a new collection; which, by reason of its greater completeness, and its more systematic order, soon superseded all others. This comprised all the decretals, decrees, constitutions, and decisions of the popes, which had been brought together by earlier collectors, with the addition of others, especially those of Gregory IX. himself. The whole was published, under the sanction of a bull of Gregory, in 1234, by the university of Paris, and in 1235 at Bologna.

Chairs were now established in all the universities for the interpretation of these Decretals. A distinction was carefully drawn between Decretalists and Decree-

tists, the former occupying the highest consideration ; so that in all suits, and before every tribunal, a ground of decision drawn from Decretals overbore every other which could be drawn only from the Decree of Gratian. In a word, these Decretals soon became the only source of law for actual practice in the courts ; and the Decree of Gratian was used merely as supplementary, in cases not decided by the Decretals.

It is evident that a system of ecclesiastical law introduced at such a time, and under such circumstances, would be so constructed as to favour the establishment of the papal universal episcopate ; and to assist the Roman see in obtaining the plenitude of power. It was easy for the popes to introduce and establish as law whatever they pleased. They had but to form a decretal, and send it to the canonists, who placed it under its proper head in their collection, and expounded it to five thousand students at Bologna, and ten thousand at Paris, by whom it was eagerly received as a valuable addition to their learning. Besides this, the new Decretal law had the effect of stamping durability upon all those innovations in the ecclesiastical constitutions which had taken place during the twelfth and thirteenth centuries.

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With respect to the general growth and advancement of the papacy, it would be difficult to give a more accurate and candid statement than that which is presented to us in the following words of a recent writer:—"Look back for a moment," says Mr. Hussey,\* "to survey the progress of the papal supremacy, and

\* The Rise of the Papal Power traced in Three Lectures, by Robert Hussey, B.D., Regius Professor of Ecclesiastical History in the University of Oxford ; Lect. III. part i.

you will perceive by what means it increased; how gradually, insensibly, and sometimes almost involuntarily, pretensions grew up, and claims were enlarged; how these were submitted to, and then acknowledged by those upon whom they were made, until half the world believed them to be just and right. It would be historically untrue to attribute all this to the personal ambition of the popes, of whom many, we cannot doubt, acted with good intentions, and were full of zeal for the name of Christ, and for the welfare of his Church. Indisputably, Rome often did good service to the Church; and every weakness in the separate members of the body, throughout the Roman empire generally, contributed to strengthen the ascendancy actually possessed by the leading see. But yet, taking all these causes into the account, and making full allowance both for good motives in those who were most active, and for human infirmity in those who passively promoted it, the history of the growth of the papal power, *i. e.*, popery, properly so called, exhibits clearly the rise and progress of a worldly principle within the Church. Setting out from an acknowledged precedence among equals in rank, possessing at first an actual influence well earned by distinguished merit, Rome proceeded by degrees to the fictions of St. Peter's supremacy, and the pope's inheritance of a divine right to govern the whole Church. When we observe how these doctrines, unheard of in primitive ages, were first obscurely intimated, then more broadly asserted, after this perpetually referred to, introduced into every opening, never omitted, but every incident taken advantage of, and all circumstances dexterously turned into an argument to support them; how succeeding popes

never retracted, but adopted and uniformly improved upon, the pretensions of their predecessors; how an Innocent went beyond a Julius, a Leo beyond Innocent, and a Gregory VII., in later times, overshot him; when we see the care and anxiety with which popes seem in all things, and sometimes above all things, to have provided for the security of their own authority; and how this end was carried out by interpolations and falsification of ecclesiastical documents, which, when detected, were never retracted or disavowed, and somewhat later grew into a notorious and scandalous system of forgery; when we weigh all these things, it seems impossible for unprejudiced readers to acquit the papal seat of the charge of worldly ambition and corrupt motives. Individual occupants differed in character: we must not suppose all were unprincipled; some were more, some less, free from human frailty; some were adorned by many virtues. But the system, founded on a false assumption, had this original error, that it was essentially a human polity: it was an ecclesiastical empire, which would maintain the Church of Christ by a power of the same kind as the secular, except that it claimed greater authority, and a more directly divine origin. And the corrupt seed, which was mingled thus with the first plantation, did not fail to bring forth its proper fruit, from time to time, in the evident acts of personal ambition or unjustifiable arrogance of individual popes, as well as the dishonest artifices of spurious documents and false authorities. The Church has since reaped a full harvest of bitterness in her unhappy dissensions for ages."



## CHAPTER VI.

FROM BONIFACE VIII. TO THE REFORMATION.

AFTER the death of Nicholas IV., in 1292, the see was vacant more than two years; while several external circumstances contributed to increase the difficulty of agreement between the two contending factions of the cardinals. The great vassal of the Roman see, the king of Naples, had formed a party in the college of cardinals attached to his interests, which gave him large influence in the election of a new pope; but to this Neapolitan-French party among the cardinals, there was opposed another which stood in connection with the leading families of Rome. At the death of Nicholas, these parties were nearly balanced. But at length the cardinals, finding themselves obliged to proceed to an election, and urged to it by the king of Naples,\* resolved to elect a pope from neither of the two conflicting parties; and in looking round for a person equally unconnected with the interests of both, one of the cardinals thought of an old monk, who had lived for many years as a hermit, and had attained the reputation of eminent sanctity. He was immediately

\* Muratori, *Annales*, tom. vii. p. 497.

elected by acclamation, and three bishops were despatched to the old man, bearing the decree of his election.\* He was brought from his retreat to the town of Aquila, which he entered on an ass led by the two kings of Naples and Hungary; and here he was consecrated under the name of Celestin V., amidst the shouts and rejoicings of an immense concourse of spectators. The cardinals, however, soon discovered that they had committed a great mistake. Celestin was not only incapable of the intrigues of papal policy, but unable even to transact the ordinary business of Church government. He applied himself to the task of reforming all the courtiers and individuals by whom he was surrounded, designing to convert them into saints of the same order as himself; and, finding insuperable difficulties in this undertaking, he adopted the most unwise and dangerous measures with a view to effect his object. Enraged at the opposition which he encountered from the cardinals in this good undertaking, the new pope threw himself into the arms of Charles II., king of Naples, who had discovered his weakness, and had resolved to turn it to account in his own favour. Charles affected to admire the pontiff's sanctity, and made him believe that he was ready to look up to him as a father, and to become his very dutiful and tractable son. The old man, unacquainted with the position and relative strength of parties, and imagining that the support of Charles would be more than sufficient to enable him to carry out his plans, was soon surrounded by his creatures, and was induced to take up his residence in Naples. Even the old Neapolitan party among the cardinals, together with their opponents, were now convinced that Celestin was

\* Raynald. an. 1294.

wholly unfit to govern, and heartily wished him back again in his hermitage: by a series of vexatious proceedings and other artifices, they soon contrived to make him concur in this desire; and on the 13th of December, in the same year, he actually resigned the office which had become to him an intolerable burden. The cardinal of Cajeta was immediately elected as his successor, who ascended the papal throne under the title of Boniface VIII. Of him it has been affirmed A. D. 1294.  
Boniface  
VIII. that he was the last of the popes, in the same sense in which it has been said that Brutus and Cassius were the last of the Romans; being as worthy to fall with the phantom of papal theocracy as they were to fall with that of Roman liberty. Certainly Boniface manifested in the defence of the theocracy no less spirit and courage than these noble Romans did in the cause which they had espoused; but his fall was less glorious than theirs, inasmuch as the world had good reason to believe that it was a gainer by the overthrow of his phantom,—so that even history itself has not always done him justice.

The very first undertaking of Boniface proclaimed a new pontiff who, no less bold and decided than Innocent III., had formed a right estimate of the greatness and difficulty of the part which he was called upon to sustain, as well as of the means which were at his disposal, and who was determined, in the first place, to deliver himself and the papacy from the entanglement in which the weakness of his immediate predecessor had involved them. He announced to the king of Naples, immediately after his election, his intention of returning to Rome; and he took measures for his departure before the king could recover from the surprise into which he had been thrown by this announcement

from a pontiff who, before his election, had professed the utmost devotion to his interests. His prompt appearance in Rome, without previous notice, took the Romans also by surprise, and disarmed all opposition.

It now became the great object of his efforts to uphold that theocratic principle according to which the temporal and spiritual supremacy were combined in the hands of the pope.

A war between Arragon and Anjou respecting the affairs of Naples and Sicily had terminated in a compact for the partition of that kingdom, Naples being assigned to the house of Anjou and Sicily to that of Arragon. Frederic of Arragon first obtained possession of Sicily, while Naples was assigned to Charles of Anjou. The king of Arragon, in whose name Frederic was appointed to govern, being willing to concede Sicily to the house of Anjou, for the sake of peace with France, desired Frederic to quit Sicily; but the latter, supported by the Sicilians, prepared to hold it on his own account, as its sovereign. Boniface, having failed to persuade Frederic to cede Sicily, published a decree in which, assuming a very lordly tone, he commanded him to lay aside the title of king of Sicily, and also forbade all princes and their subjects, under pain of excommunication, to lend him their support.

At the same time, he sought to regain respect for the papacy, by interfering in another affair, with which he had, properly, still less to do. In 1294, a war had broken out between Philip (le Bel) king of France, and Edward I. of England, the flames of which threatened to spread still further, and even to reach to Germany. It was the object of the pope to scatter this tempest before it burst; and in this he succeeded.

He sent two legates across the Alps, charged to restrain the emperor (Adolph) from taking part in the quarrel by an alliance with England, and bearing an epistle from himself filled with earnest advice and fatherly counsel, together with the dictatorial language of supreme authority. The emperor did abstain from war with France; and whether this was really the effect of the papal inhibition or not, yet, at all events, the matter wore that appearance, which was all that was required for the purpose of papal influence. The pope now sent a second legation to the principal parties concerned, the kings of France and England, calling upon them to consent to a truce, by which time might be given for an amicable adjustment of their differences. He cautiously avoided claiming a right to decide the quarrel, but he did not conceal his intention, in case of necessity, to put forth his spiritual power in order to compel them to make the desired truce; and at the same time he charged his legates, in case of the obstinate refusal of either party, to pronounce sentence of excommunication against the offender. Perhaps it is not too much to say that the position which Boniface thus took was entirely in accordance with the lately acknowledged rights and duties of the papacy. Nor, according to the ideas of those times, could it be regarded as a rash or unadvised stretch of the papal power that Boniface threatened the king of France to call him to account for the detention of a daughter of the count of Flanders, unless he should render satisfaction to the count.

The king of England was willing to consent to a truce. But Philip declared that he could not imagine why the pope should concern himself with his war upon England, seeing that it had nothing do with re-

ligion; and that, while he was ready to take in good part his exhortation to peace, he would never consent to receive a command from him in such matters. As to the affair with the count of Flanders, he said, still more strongly, that he would never concede to the pope a right to pronounce upon a cause which belonged only to his own jurisdiction; and since, in all temporal affairs, he acknowledged no other sovereign than God, he strongly advised him to attempt no further interference in the matter between himself and the count.

Without giving any apology for having interfered in the matters of the English war and the count of Flanders, Boniface now thought it expedient to make this haughty French monarch feel that there were certainly affairs in which the king had to do with the pope, and concerning which he could not even pretend to be independent of him. Philip, like the king of England, had forcibly raised heavy contributions from the Church and the clergy of his kingdom towards the expenses of the war,—a proceeding which, although precedents were not wanting, could yet claim no foundation in right. Some French prelates having complained of this exaction at Rome, the pope gladly seized the opportunity of espousing their cause, and issued, probably in the beginning of 1296, the celebrated decree *Clericis Laicos*. This decree denied, in the strongest terms, the right of the laity to impose taxes upon the clergy, or upon Church property: but it was prudently addressed, not to the laity, but to the clergy, threatening all communities and individual ecclesiastics with the penalty of interdict and deposition if they should pay or promise to pay any tax imposed upon them by the civil power, without per-

mission from the apostolic see ; and also declaring that all civil rulers who should impose such tax would thereby render themselves liable to excommunication. The decree, it should be observed, appears to have been directed only against extraordinary aids or subsidies, and to have been in effect a repetition, in a more definite form, of the Lateran decree of Innocent III. on the same subject. It was by no means its design to exempt the clergy from all contributions to the necessities of the State by the payment of regular taxes ; but it was intended to guard against arbitrary demands for additional supplies in great emergencies without the consent of the Church itself. The principle herein affirmed had been already recognised, and Boniface may have feared no opposition from any temporal prince while engaged in upholding it. Even the king of France himself appears to have been aware that he could not contest this point. He found it prudent not to offer any open opposition to the decree ; but to return the side-blow which had thus been aimed against himself by levelling another of the same kind at the pope. With this view he published an ordinance (August 17, 1296) by which he prohibited all his subjects, under the severest penalties, from exporting or carrying out of his dominions gold or silver, whether coined or uncoined, precious stones, provisions, arms or horses. The pope, well aware that Philip would not be content with the mere publication of this decree, but would seek to put it in force, could not suffer it to pass without notice, inasmuch as the failure of supplies from France would be a serious detriment to the papal treasury ; and besides this, the example thus set to other powers might be of pernicious consequence. Boniface therefore addressed an

expostulation to Philip on this subject (A.D. 1296), not indeed assuming that the papal see was in any special manner aimed at, or affected, by the decree, but taking the high ground of defending the liberty and rights of the Church, which he declared to be invaded if the king meant (as he hoped not) that this prohibition should extend to the bishops and clergy of his kingdom. He willingly believed that the king did not intend to include the clergy in his prohibition; the more willingly, because such an extension of the ordinance would impose on him the necessity of pronouncing a sentence of excommunication against a sovereign who had thus exceeded the bounds of his legitimate authority. He argued also that, even in a political point of view, such an ordinance was ill advised, and disadvantageous to the interests of France. And he took this opportunity of commenting upon the meaning of his own bull, and the misrepresentations to which it had been subject; assuring the king that there had been no intention on the part of himself or his predecessors, while contending for the immunity of the clergy from arbitrary and oppressive imposts, to have them exempt from their constitutional share of burdens imposed for the defence or necessities of the State. Philip, however, was not induced by these representations to abate his opposition to the pope; on the contrary, he proceeded more systematically to abridge those powers and privileges which had for some time past been possessed by the papal see under the character of acknowledged and undoubted rights.

At the same time the French bishops also applied to Boniface, entreating him to allay the unfavourable impression which the bull *Clericis Laicos* had made, not only on the mind of the king, but on the whole



nobility of France;—an impression which, if suffered to work its way, threatened no less than the destruction of the Gallican Church. This gave another opportunity to Boniface of explaining the bull in a manner which promised to be satisfactory to the offended monarch. And the pope addressed to the king some further declarations of the meaning of the bull, by which its severity was considerably mitigated, some of the most obnoxious provisions being in fact abandoned.\*

Permission was also granted to Philip to impose a tribute upon all the clergy of his kingdom to the amount of one-tenth of their revenues, for the space of three years. The canonisation of Louis IX., which had been delayed during twenty-five years, was now accomplished; and this act was regarded as a great compliment and favour to the whole French nation. The pope also flattered Philip that, amidst the existing troubles of Germany, he would use his influence towards placing the imperial crown upon the head of his brother Charles of Valois, and thus again restore the empire to France.

These measures appeared to work according to the design of Boniface, for Philip now appeared willing to be reconciled. He again permitted the unrestricted export of gold, and seemed ready to listen to the proposals of the pope for a speedy termination of the war with England. At the beginning of 1298, the belligerent parties agreed to submit their disputes to the decision of the pope as umpire; and Boniface accordingly prepared his decision, which he fully expected would be satisfactory to all parties, even venturing to publish it with great solemnity in the

\* Raynald. an. 1297.

form of a bull.\* But his decision was in almost all points adverse to the king of France. He had decided that Philip should again concede to the king of England all his possessions in Guyenne, that he should give back to the count of Flanders all places which he had taken from him, and that he should not only restore his daughter, but should not interfere with her marriage by free choice. He also decided that the king of England should marry the princess Margaret, the sister of the king of France; and that his eldest son should marry the princess Isabella, the daughter of Philip. In this decision, Boniface was doubtless guided by his sense of right and justice; but it is difficult to imagine how he could suppose that Philip would submit to the terms proposed. He appears to have been sincere in his desire to secure the empire for Charles of Valois; but his efforts in this direction failed: and perhaps it was this failure, together with the adverse nature of his decision, which again aroused the hostility of Philip against him. The king vehemently protested against the decision as unjust; declaring that he would not hold himself bound by it, but would renew the war immediately on the expiration of the truce. Accordingly, at the end of that period, he entered Flanders, where he completely overpowered the count, and made him and his two sons prisoners. But it was in the following manner that he manifested his hostility to the pope with the greatest effect. For the sake of Philip, Boniface had strongly declared himself against the election of Albert as king of Germany, and had even so far proceeded in his opposition as to render future reconciliation impossible. Philip rightly considered that

\* Raynald. an. 1298, n. 2—7.

the pope would be unable to effect his intention of deposing Albert; and he now hastened to make an alliance with him, by which the houses of France and Austria should be firmly united. This alliance was effected at a personal interview between the two monarchs, December, 1299; and thus was taken away all hope, which the pope had doubtless cherished, that in case of necessity he might make use of one of these sovereigns against the other. Philip sent an ambassador to Rome (some say Nogaret) to announce to Boniface that he had deemed it expedient, for the good of his kingdom, to form a close alliance with the emperor, in order that he might be able with advantage to engage in that crusade in the East to which he had been so earnestly excited by the pope. But Boniface and all Europe knew that the king did not meditate any crusade at all; and the pope could not but feel that by this embassy the king designed only to insult him.

Boniface wrote to the electors of Germany, saying that he could not consent to confirm the election of Albert as their king, without due examination of weighty charges which lay against him, and requiring Albert to appear before him within six months, to answer for himself, under oath that he would submit to his decision. In default of his appearance, he threatened that the holy see would declare his election null and void, forbidding the electors and all German subjects to acknowledge him as king, under penalty of death.

The same sincere desire of upholding what he regarded as the rights of the papacy appears in the conduct of Boniface with regard to the Colonna. Members of this family had from time to time appeared at

the head of that junta of Roman nobles who had contested the sovereignty of the popes at Rome, or had sought to make it merely nominal. This party had always succeeded in attaching to themselves some portion of the Roman populace ; and, not long before the accession of Boniface, one of the Colonna had been elected senator of Rome by the votes of the people. Besides this, two of them had now seats in the college of cardinals ; and hence this family was in a position to counteract the influence of the pope in several quarters. The Colonna were, therefore, exceedingly obnoxious to Boniface ; and were felt by him to be standing greatly in his way. He accordingly determined to rid himself of these troublesome opponents ; and, having sought a quarrel with them, he carried out his plan of the political annihilation of this powerful family, by the destruction of their palaces and castles, with excommunication, confiscation, imprisonment, and exile. By this means he seemed to have delivered the papacy from the troubles and dangers of a Roman faction for an indefinite period of time.

In his further dealings with Philip of France, Boniface appears to have been carried by his wounded feelings beyond the limits of prudence. In 1301 he sent a legate to the king, with a view to procure the release of the count of Flanders and his family. For the execution of this business he unfortunately made choice of a man whose haughty and insolent conduct had already made him personally offensive to the king, Bernard of Caisset, bishop of Pamiers. On the present occasion also the legate assumed a dictatorial and threatening tone ; and the king commanded him to quit the court and his dominions without delay. Boniface, however, sent him back to

his diocese in France; and, Philip having caused the insolent prelate to be seized and tried for high treason, the pontiff now possessed the opportunity, which he appears to have desired, of an open rupture with the king. He addressed an epistle to Philip, affirming that neither he nor any sovereign on earth had power to sit in judgment on an ecclesiastical person, and commanding him to send the bishop of Pamiers to Rome, whatever his offence might have been, and there to prefer his charges against him. He required the king himself also to answer for his conduct towards the bishop, by which he had rendered himself subject to a sentence of excommunication. This epistle was followed by a decree (December 5th, 1297) revoking all privileges which had ever been granted by the apostolic see to the crown of France, especially that which Boniface had himself accorded (in his explanations of the bull *Clericis Laicos*) of imposing a tribute upon the churches and clergy of his kingdom towards defraying the extraordinary expenses of the State. Boniface sent also to Philip, by the hands of a new nuncio, a bull \* in which he administered reproof for the public and private delinquencies of the king's past life, and required him to reform his manners; declaring that, inasmuch as Philip had stopped his ears, like a deaf adder, against all previous admonitions, he must not be surprised to find himself exposed to the consequences of his impiety. It was also announced that the pope had determined, on the present occasion, not only to administer this paternal reproof, but also to convene a council, which should be expressly charged with the duty of reforming all the abuses that existed in

\* *Ausculata, fili!*

the court and kingdom of France ; and before this council the king must not fail to appear, in person or by deputy, in order to abide the judgment of God and the pope. This was a new and unheard-of proceeding,—altogether strange even to the Gregorian practice, although entirely consistent with the Gregorian theory when pushed to its legitimate results. Boniface doubtless hoped in this way to involve the king of France in a quarrel with his own people, or at all events to prevent the people from taking part with their sovereign in the impending struggle. He well knew that the strength of the papal weapons,—even of an interdict, the most formidable of all,—depended in a great measure upon the disposition of the people.

The measures with which Philip encountered this bold attack were deliberate and prudent. He knew the danger to which he was exposed, and felt the necessity of acting with caution. In the matter of the bishop of Pamiers he made a series of concessions, until he left Boniface without excuse for his extraordinary and insolent proceedings in convening his council ; while yet the pope had already proceeded so far in this matter as to be unable to retrace his steps. As the single ground of his resistance to the pope, Philip alleged the claims which Boniface had unjustly put forward of supremacy over himself in temporal matters, maintaining that in these things he would acknowledge no superior but God. On the 10th of April he assembled a large parliament at Paris, to which deputies from the towns were summoned. This convention was opened by a remarkable speech from the chancellor, in which he explained the state of the controversy between Boniface and Philip,—dwelt at large on the relations subsisting between the

Gallican Church and the Roman see,—and called upon the assembly to determine whether the pope or the king should be acknowledged sovereign of France. The assembled States unanimously decided that in temporal matters they were subject to none but God and their king; and they accompanied this decision with a request to Philip that he would defend them against any foreign power by which the independence of the state might be endangered. The French ecclesiastical dignitaries were at the same time prohibited from attending the council which the pope had convened at Rome respecting the affairs of France. And Philip sent word to Boniface that he must postpone his council, inasmuch as the French bishops could not attend it; and that he needed not to trouble himself about the reformation of the French constitution, since the French themselves were prepared to take effectual measures on that point. The epistles addressed by the bishops of France, and the representatives of the French people, after the sitting of this parliament, were not less decidedly and strongly directed against the aggressive measures and designs of the pope.

For a moment Boniface appears to have been alarmed at the firm and dignified attitude which had thus been assumed by France. He sent a fresh legate, with a view to pacify the king; but when he found that he had been forbidden to enter the kingdom, he became fully aware that the contest was for life or death, and he summoned up all his energy for the prosecution of the struggle.

He now published the celebrated bull *Unam Sanctam*,\* in which he strongly affirmed that the

\* November, 1302; Raynald. an. 1302, n. 13.

temporal authority is subject to the spiritual power; that it is absolutely necessary for salvation that every human being be subject to the Roman pontiff;\* and that, while the temporal sword is indeed to be wielded by kings and soldiers, yet this must take place only with permission of the priest. Philip was thus challenged to pursue his opposition to the papacy on the ground which he himself had chosen. And at the time of the promulgation of this bull there were various circumstances which made it seem probable that he would hesitate, or even be unable, to persevere in the contest. The pope had made a fresh alliance with the emperor; and it was possible that he might persuade his new ally to make war on France. The dissatisfaction which had pervaded the minds of men in Flanders was matured into open insurrection by Romish artifice. Nor did it seem unlikely that disturbances might be promoted in France itself, where it was evident that many were still devoted to the interests of Rome; no less than thirty-five bishops, four archbishops, and six abbots having repaired to Rome to attend the papal council, notwithstanding the prohibition which had been issued to restrain them. Philip, however, now confiscated the property of the bishops who had thus gone to Rome, and renewed his prohibition of departure from the kingdom without his permission, and of the export of gold. Not content with this, in the beginning of 1303, he assumed the character of an accuser of the pope, alleging against him a whole catalogue of crimes, by which he affirmed that he had rendered

\* The Bull concludes with these words:—"Porro subesse Romano Pontifici omnem humanam creaturam declaramus, dicimus, definimus, et pronuntiamus omnino esse de necessitate salutis."



himself unworthy of the pontificate, and declared that, for his own part, as defender of the Church, he was bound to come forward in order to deliver it from existing tyranny. Nogaret, who had been charged with the reading of this declaration to an influential body of state counsellors, himself suggested, as a means of accomplishing the object which the king desired, the assembling of a General Council, which had power to judge and depose the pope; and he undertook to establish all the charges brought against Boniface before such council. The question now to be decided was how this council should be convened; and Nogaret suggested the expediency, in the interval, of securing the person of Boniface, declaring him suspended from his office, and causing the see to be filled by a deputy. Boniface now despatched to France a new legate (the cardinal Le Moyne), a man personally acceptable to Philip, with a view to effect an accommodation. The object of his visit was known, and he was suffered to enter the kingdom. The demands which the pope made by him, as the price of reconciliation, were, however, far too strong to find acceptance at the hands of Philip. But the king acted on this occasion, as on others, with great caution and reserve. He did not assent to any one of the conditions proposed, but he professed a readiness to treat concerning them; and his whole bearing induced the pope to believe that he was not prepared to proceed to extremities. Boniface determined, therefore, himself to take the initiative. Upon the first report of his legate, he pronounced sentence of excommunication against Philip, and called upon the emperor to take possession of the throne from which Philip was now deposed. In this posture of affairs,

Philip possessed a fair opportunity of bringing to bear against Boniface, without further delay, the machinery which he had long since prepared for the occasion. In the middle of the following June, he convened a second assembly of the States at Paris, with a view to proceed upon the plan already intimated by Nogaret, except that, instead of Nogaret himself, four of the great barons of the kingdom appeared before this assembly as the accusers of the pope. These accusers undertook to prove that Boniface had not only been guilty of great crimes, but was also exposed to the suspicion of heresy ; and the articles which they exhibited against the pope were twenty-nine in number. They did not ask for a definitive sentence from that assembly, but only that measures might be taken for convening a General Council, by which the pope might be deposed, and a new head of the Church be legitimately appointed. But it can hardly be supposed that Philip really contemplated the assembling of a council as the result of this movement, especially if we consider the nature of the charges brought against Boniface, many of which were absurd and frivolous. The real object of the king seems to have been to take precaution against any act of the pope in deposing himself, and absolving his subjects from their allegiance ; a measure which he adopted in the form of an appeal to the projected council, and to the new pope whom that council should elect,—an appeal which speedily received the adhesion of all communities and classes of men throughout the kingdom.

The plan of the king was now about to receive its full development. The decrees of the national convention were sent to Nogaret, in Italy, who was there eagerly seeking for an opportunity of getting posses-

sion of the person of Boniface, in order to convey him to France. Sciarra Colonna, one of the mortal enemies of Boniface, who had been associated with Nogaret in his mission to Italy, had easily found means to collect a party which gave trouble to the pope in Rome itself; and Boniface retired from Rome to Anagni, his native town, upon the fidelity of whose inhabitants he felt that he could rely. Nogaret and Sciarra, however, soon discovered that a violent assault would be more likely to succeed in this comparatively small place than in Rome. Accordingly, Sciarra collected a band of desperate men from the neighbouring country, while, by means of money, Nogaret secured some assistance within Anagni itself; and so well was the plan concerted that on the 7th of September the place was taken by surprise, and Boniface was in their hands. In the course of a few days, however, the people of Anagni effected the pontiff's release, and took measures for his safe removal to Rome. But it soon appeared that his enemies had gained their end, even more completely than they had anticipated. The terror, and perhaps ill-treatment, to which the aged Boniface had been subjected overpowered his feeble frame, and, together with the violence of his emotions in connection with the whole transaction in which he had been involved, hastened his death, which took place on the 11th of October, a few days after his arrival at Rome.\* Boniface was firm and consistent in his opposition to Philip, even to the last. At Anagni he published a manifesto, declaring to the world that no General Council could be convened without the sanction of

\* This is the pontiff of whom it was said, "*Intravit ut vulpes, regnavit ut leo, mortuus est ut canis.*"

his authority, and rebutting the charge of heresy which had been brought against him in France. When he was surprised by Nogaret, he had prepared the draught of a bull, in which he prohibited Philip, as excommunicated, from the exercise of all rights which he might otherwise have possessed in relation to the Church,—released all his subjects from their oath of allegiance,—and annulled all treaties which had been made between himself and other princes. He maintained his dignity against all the threatenings of Nogaret, and endured ill-treatment from the Colonna with the constancy of a martyr; and he was indeed a martyr in the cause of papal rights, according to the idea of those rights which he had imbibed from his youth.—In such a situation as that in which Boniface stood with regard to Philip, an Innocent III. or a Gregory VII., equally firm and resolute, would have said much less and done much more. Boniface was not wanting in decision; but his fault or misfortune lay in thinking that he had done enough by the mere announcement or assertion of his rights, under the conviction that he could never be shaken from his position.

After the death of Boniface, it soon appeared how completely he had stood alone, and that there was no successor to be found possessing either courage or ability to persevere in the course which he had so unflinchingly maintained. His immediate successor, Benedict XI., was a man distinguished by a peaceable and gentle disposition; and he immediately came to a good understanding with Nogaret, professing himself ready to restore union between the Church and France. Philip's ambassador at Rome urged the immediate assembling of a General Council, and this

too, as he did not attempt to conceal, with a view to the better adjustment of the relations subsisting between the papacy and the temporal power, and to the putting of ecclesiastical matters upon their old constitutional footing. This was enough to make the idea of the proposed council abundantly unpopular among the cardinals, and to give rise to evasion and delay. Nor does it appear that Philip himself was bent upon the actual assembling of a council; he rather employed the proposal or threat of such an event, in order to serve his purpose.

The peaceful, and even submissive, conduct of the new pope went far beyond the expectation of the king of France. In April, 1304, appeared a papal bull, by which the king was absolved from all penalties and censures which he had incurred during his dispute with Boniface; the pope herein declaring that, out of regard to Philip's soul, he could not rest until he had left the ninety and nine sheep, and had gone after that which was lost,—and imposing no condition of absolution, except that the king should in future show himself more obedient to the Church. Philip now felt persuaded that he could extort from Benedict whatever he might desire; and Benedict met his demands, not by refusing submission, but only by endeavouring to defer it as long as possible. He now restored to the ecclesiastical corporations and the universities of France all the rights and privileges of which they had been deprived by Boniface; and declared null and void all those decrees in which that pontiff had assailed the prerogatives of the French crown, and had released French subjects from their oath of allegiance: and, by another bull, he granted to the king the tenth of Church revenues in his domi-

nions for the space of two years. He refused, however, to restore the two Colonna to the college of cardinals; nor would he consent to take off the sentence of excommunication from Nogaret, until he should exculpate himself from the charge laid against him concerning his participation in the seizure of Boniface.

It does not appear that Benedict would have been able for any length of time to defer compliance with the wish of the king for the assembling of a General Council. But his sudden and unexpected death (not without suspicion of poison) at once removed every difficulty out of the way of Philip, and gave him an opportunity, not only of carrying out his design, but also of doing far more than he had hitherto contemplated. He immediately resolved upon influencing the election of the next pope, so as to have the chair filled by a dependent and creature of his own. This design he easily accomplished, with the outlay of very little money and pains; and so completely did he succeed that not only was the new pope entirely at his command, but the papacy itself appeared to have been delivered into his power. In the college of cardinals, the French party on the one side, and the Romano-Italian on the other, were so evenly balanced, that the conclave sat at Perugia no less than nine months without coming to a decision. At length, by an artifice of the leader of the French party, the choice fell upon Bertrand, archbishop of Bourdeaux, whom Philip had previously secured to his interests, and who ascended the papal chair under the title of Clement V.

A. D. 1305.  
Clement V.

Of all the concessions to the demands of Philip, which were made by Clement at the very commencement of his pontificate, the most comprehensive and

important was that of enacting that the papal residence should be fixed within the limits of France. By this means the king of France had the pope completely in a state of dependence on himself; and henceforward it became his policy, and that of his successors, not to work the complete overthrow of the papal power, but to perpetuate and uphold it so far as it could be made instrumental in favour of France. But the new pontiff carefully concealed, as far as possible, his state of dependence on the French crown. His obligation to reside in France was kept for some time as a profound secret,\* even from the French party among the cardinals; and when the continuance of his sojourn in that country, during several successive years, began to give rise to suspicion, the circumstances of the times were pleaded in excuse, not without some effect. At first, no particular place of residence was chosen, but Clement removed, with his court, from one town or monastery to another. At the end of about five years, however, the intentions of the pontiff, and his real position with regard to Philip, could no longer be concealed; and Clement fixed his residence at Avignon, which was in the territory of the count of Provence, and, as part of the kingdom of Burgundy, was nominally under the protection of the German emperor.

Immediately upon his accession, Clement granted Philip the tenth of all Church property in France, for the space of five years;† he also nominated ten French cardinals. The absolution of Nogaret, and the final and complete cancelling of the obnoxious decrees of Boniface,‡ were accomplished without any

\* Raynald. an. 1305, n. 12.

† Raynald. an. 1306, n. 14.

‡ Raynald. an. 1307, n. 10; an. 1311, n. 26.

unnecessary delay. Clement, however, contrived eventually to escape from the necessity of condemning Boniface as a heretic.

A flagrant instance of the servile compliance of Clement with the will of Philip was the part which he took in the abolition of the order of Knights Templar,—an event accomplished by one of the most oppressive and cruel acts of violence with which the annals of European history are stained. Clement abolished the order by a bull;\* and the sentence against the knights, including the confiscation of their property, was passed by the General Council of Vienne. It was now well known that Clement was no more than a tool in the hands of Philip; and, while his person was the object of contempt, the papacy itself, by this means, received no inconsiderable detriment.

The emperor, Albert I., having been murdered in 1308, Philip resumed his old project of securing the imperial throne for his brother, Charles of Valois. It is uncertain whether or not it had been matter of previous stipulation that Clement should consent to this measure, but it is certain that he now endeavoured to promote it by an epistle addressed to the electors. Some say, however, that, by a secret communication with the electors, he at the same time endeavoured to thwart the designs of Philip; but it is by no means clear that he ventured upon so dangerous a step: be this as it may, the electors themselves were not disposed to comply with the wishes of the king of France, and their choice fell upon Henry of Luxemburg. This election was duly notified to the pope. The new emperor sent a solemn embassy to declare his obedience to the holy see, and professed

\* Raynald, an. 1312, n. 3.



himself ready to take the oath of fidelity as soon as Clement should perform the ceremony of his coronation; whereupon Clement issued a bull by which the election was approved and confirmed. The new emperor, Henry VII., seemed resolved on recovering the ancient imperial and royal rights in Italy; and a favourable opportunity was afforded him of accomplishing this object, by the absence of the pope, and the disorders which prevailed throughout the country, amid the contests of the Guelphs and the Ghibellines. Henry, having announced his intention of receiving the imperial crown in Italy, Clement commissioned his cardinals to perform the ceremony, which took place at Rome (Jan. 27th, 1312), although not without some difficulty from the opposition of the Guelphs. Henry now boldly advanced his claims as sovereign of Italy. He summoned before him Robert, king of Naples, as his vassal, and, upon his refusing to appear, placed him under the ban of the empire: but Clement formally took off the ban, by virtue (as he said) of his superior authority; and when Henry presumed to enter the territories of Frederic, king of Sicily, contrary to an express papal monition, the pontiff pronounced sentence of excommunication against the emperor himself. For these measures, the papacy would doubtless have paid dearly, had not the emperor been removed by an early death (Aug. 25, 1313). After this event, the triumph remained with the pope, and the measures which he had taken contributed to uphold the influence of the holy see. A similar advantage was gained by his humiliation of the Venetians,\* who had taken possession of Ferrara, and, after a short opposi-

\* Raynald. 1309, n. 6.

tion, were compelled to yield to the twofold coercion of an interdict and a crusade.

(Vacancy of  
two years.)  
A. D. 1316.  
John XXII.

Upon the death of Clement, in 1314, the Italian party of the cardinals was compelled to submit to the election of another French pope, John XXII., after a delay of two years. Philip died in 1314; and his successor, Louis X., also died during the vacancy of the papal chair. The majority of the cardinals were now in the pay of France, and the papal court at Avignon was extremely dissolute and corrupt. Concerning the election of an emperor, the electors were now pretty equally divided between Louis of Bavaria, and Frederic of Austria; and it was an object with each party to have the pope on its side. It was the obvious policy of the pope not to declare hastily in favour of either party; and, two months after his accession, John sent into Germany a bull\* admonishing the dissentient parties to come to a friendly agreement,—his real object being to gain time for the administration of the newly-established papal right of acting as vicar of the empire, during an interregnum. Clement V., in his bull of 1313, while exercising this right,† derived it from an assumed larger right of administering the affairs of the whole empire during an interregnum; and the same claim was now advanced by John in a bull of 1317.‡ During the present vacancy, John took an oath from all the German bishops, that they would not acknowledge as emperor any one whom he should not, in due course of time, confirm in that dignity.§ He could, therefore, well afford to preserve his neutrality as to the candidates for the empire, until, at length, in

\* Raynald, an. 1316, n. 10.

† Raynald, an. 1317, n. 27.

‡ Raynald, an. 1314, n. 2.

§ Raynald, an. 1320, n. 8.

1322, the state of affairs in Italy, disposed him to incline towards the side of Frederic of Austria. Matthew Visconti of Milan, at the head of the Ghibellines, had become so formidable, that the Guelphs, whose support the pope could not consent to lose, were closely pressed. At the same time, even Robert, king of Naples, began to apprehend danger to himself from the power of Visconti, and he entreated the pope to adopt some effectual measures against him. John now proclaimed a crusade against the Ghibellines, and was glad to have recourse to the arms of Frederic of Austria: Frederic, however, could accomplish but little in Italy, and he withdrew his troops, in order to assist his operations against Louis of Bavaria, by whom he was soon afterwards defeated and made prisoner. It might have been expected that the pope would now declare himself in favour of the victor: but, whether under the influence of Charles IV., who had succeeded to the throne of France in 1322, or from any other cause, John was persuaded that it was still his interest to remain neutral; and, in an epistle addressed to Louis,\* in which he exhorted him to treat his prisoner with humanity, he still gave him to understand that he regarded the contest for the empire as undecided. Louis, however, proceeded to act as emperor, regardless of the want of papal confirmation, and openly espoused the cause of the Ghibellines in Italy. Irritated by these proceedings, John now published a decree,† in which he expressed his astonishment at the conduct of Louis, duke of Bavaria, who had not only assumed the title of king of the Romans while his election was still disputed, and therefore without

\* Raynald. an. 1322, n. 5.

† Raynald. an. 1323, n. 30.

having received confirmation from the pope, but had also taken upon himself to exercise imperial rights in Germany and Italy, even for the purpose of aiding and abetting heretics, and the enemies of the Church. He commanded him to revoke, within three months, all the acts which he had performed as emperor, and immediately to abandon all administration of the affairs of the empire, under penalty of excommunication; all spiritual and temporal estates of the empire being, at the same time, forbidden to acknowledge or obey him as emperor, until he had received papal confirmation, under the penalty of the loss of all their privileges and fiefs. Louis, at first, manifested some symptoms of submission; but he soon drew up and published a strong protest against the claims and conduct of John, with an appeal from him, upon whom he retorted the charge of heresy, to the true apostolic see and a General Council. Hereupon the pope proceeded to excommunicate the emperor, in a bull, dated March, 1324, which Louis met by a second manifesto, containing a renewed appeal to a council. John was supported in Germany by the Austrian party, at the head of which stood the duke Leopold, brother of the imprisoned Frederic,—John, king of Bohemia, having also been enlisted on its side. Still, however, the fulminations of the pontiff produced little effect throughout Germany; and the Diet of Ratisbon, A.D. 1324, decreed that no papal bull against the emperor should be anywhere received, but that any person who should attempt to introduce such document be expelled from the limits of the empire,—a decree which was, for the most part, readily obeyed.

In 1325, Louis, suspecting that he was about to lose the support of some influential parties who had

hitherto adhered to him, released his prisoner, Frederic, upon condition that he should renounce all claim to the empire, and should support the empire against all its enemies, and especially against the pope. Leopold, however, refused his assent to the terms which had been imposed upon his brother, and continued the war against Louis, who thus found himself compelled, in the course of the same year, to enter into a new compact, by which he conceded to Frederic the title of Roman king, and agreed to associate him with himself in the administration of the empire. Leopold was now satisfied; and all the princes of the house of Austria urged the pope to give his consent to the compact. Heroin, however, was involved the retraction of his decree against Louis, and it seemed scarcely possible to assent to such an act without sacrificing the honour of the papacy: John, therefore, resisted this compact, and its terms were never fulfilled; but, unfortunately for the pope, the duke Leopold died in 1326, and hostilities were suspended between the emperor and Austria. In 1327, Louis marched into Italy, having been invited thither by the Ghibellines, with whom he so successfully co-operated that, in the beginning of 1328, he made his solemn entry into Rome, where he received the imperial crown in St. Peter's, at the hands of four temporal barons,\* having already received the crown of Lombardy at Milan. On the 18th of April, in a public assembly of the Roman people and his nobles,† he declared "John of Porto, who falsely calls himself John XXII." deposed from the pontificate as an arch-heretic; and in a similar assembly, on the 12th of May, he presented the

\* Muratori, *Annal.* 8, 157.

† Raynald. *an.* 1328, n. 11—37.

(Nicholas  
V.)

Romans with a pope, under the title of Nicholas V. During this time, the pope at Avignon could do no more than fulminate bulls and decrees against the emperor, and call upon the electors to make choice of a new king. All these measures were powerless ; and it was this circumstance, marking the decline of the papal hold upon the minds of men, which was really the most formidable in the estimation of the papal court.

The emperor soon lost his popularity at Rome, and found himself obliged to retire from that place in August 1328 ; and, as the influence of the Guelphs continued to gather strength throughout Italy, he was obliged to quit the country altogether, and to return to Germany in 1329. His pope was soon delivered up to the legates of John, who compelled him to perform a solemn act of abjuration, and then sent him to Avignon, where he was confined as a prisoner during the remainder of his life.\* Louis now found the affairs of Germany in a very unsatisfactory state, and was desirous of an accommodation with the pope. In 1330 he made proposals to him by means of John, king of Bohemia, which were highly acceptable. He offered entirely to abandon the cause of the pope whom he had set up ; to withdraw his appeal to a General Council ; to retract all that he had said or done against the Church of Rome ; to acknowledge the justice of the sentence of excommunication which had been pronounced against him ; and to trust to the clemency of the pope respecting the penance to be imposed upon him : in return for all which, he only required that the pope should confirm his election, and acknowledge him as

\* Raynald, an. 1330, n. 2.

emperor. The king of Bohemia, duke Otho of Austria, and the elector of Treves, urged the pope to accept these proposals, and the emperor himself sent an embassy to Avignon, declaring his readiness to enter upon further negotiations, if necessary. John, however, encouraged by the emperor's concessions, which he regarded as a confession of weakness, insisted upon his unconditional abdication, and he almost succeeded in carrying his point thus far. At the end of three years more, Louis felt himself weary of the strife, and even prepared an act of abdication, which he promised to execute upon a condition not likely to be refused ; but from the completion of this act he was earnestly dissuaded by several of the estates of Germany. In 1334, John died : the controversy was continued throughout the whole pontificate of his successor, Benedict XII., and sometimes under circumstances which threatened extreme danger to the papacy ; but the danger was adroitly evaded, or even turned to profitable account.\* Negotiations for an accommodation were carried on between Benedict XII. and the emperor, but were frustrated by the new king of France, Philip of Valois ; indeed, no less than three times was Benedict thus hindered from accepting offers made by the emperor on terms most advantageous to the papacy. A diet, assembled by the emperor at Frankfort, in 1338, declared that the emperor had done all that he could in order to reconciliation with the holy see, and that all further proceedings of the pope against him must be treated as unfair and unjust ; it was, therefore, decreed that wherever Divine worship had been suspended in consequence of the interdict, it should be restored, and that any of

A. D. 1334.  
Benedict  
XII.

\* Raynald. an. 1335, n. 7 ; an. 1336, n. 31 ; an. 1338, n. 7.

the clergy who might refuse to perform it should be regarded as enemies to the state. The electors met, with a view to maintain their electoral rights and privileges; and, at their instance, all the estates agreed to adopt, as a fundamental maxim of state, the propositions that the imperial dignity and power are derived immediately from God,—that the person elected as king and emperor by all, or the majority of, the electors, must be immediately put in possession of all imperial and regal rights by virtue of this election,—that from that moment obedience should be rendered to him by all as a matter of right,—and that he needed confirmation from no other power, forasmuch, as in things temporal, he has no superior. In 1338, the emperor made an offensive alliance with Edward, king of England, against France, which the pope could not but regard as directed against himself. In 1341, however, this alliance was renounced, and the emperor declared himself the firm friend and ally of the king of France. And now a German embassy to Avignon was supported by one from France, entreating the pope to take off the sentence of excommunication from the emperor of Germany; but this was met by a reproof from Benedict, addressed to the king of France, for having allied himself to an heretical and schismatical sovereign, before he was reconciled to the Church.\*

A. D. 1342.  
Clement  
VI.

In the following year, 1342, Benedict was succeeded by Clement VI. In answer to a fresh application from the emperor, absolution was again refused; and the refusal was followed, in 1343, by a new bull of excommunication, and a demand upon the electors to proceed to the choice of a new emperor without

\* Raynald. an. 1341, n. 2.



further delay. Notwithstanding their previous determination, the electors had actually met for this purpose, when the king of France informed the emperor that his request to the pope had been refused only because it had not been couched in proper terms; and the emperor, through him, now requested Clement to furnish him with the draught of a petition such as he would be willing to receive; nor did he hesitate to adopt almost every word of a formulary which was accordingly prepared for him, unspeakably humiliating and disgraceful. His ambassadors were authorised to promise the pope any satisfaction which he might require for his crimes and offences against the Roman see; declaring, especially, that he was ready to lay aside, unconditionally, the imperial title which he had unjustly assumed, and to place himself entirely in the hands of the pope. In reply to this communication, the pope made extravagant and haughty demands, which affected the honour and interests of the empire no less than those of the emperor, and, on this account, were indignantly rejected by the electors, before whom the emperor laid them. Hereupon, in 1346, the pope put forth a new bull of excommunication\* against Louis, at the end of which he called upon the electors to lose no time in proceeding to the choice of an emperor; adding a threat that, if they should fail to do so, he would exercise his own unquestionable authority, and nominate one himself. The pope had already agreed with Charles, the eldest son of the king of Bohemia, to advance him to the empire upon sufficiently humiliating terms:† of this the electors were aware, and, as the pope had left them the appearance of an

\* Raynald. an. 1346, n. 56, 59.

† Raynald. an. 1346, n. 19.

election, thinking that their honour was hereby sufficiently maintained, they elected Charles. The other estates, however, assembled at the same time in a diet at Spires, declared this election null and void, and strongly protested against the assumption that the pope had power to depose the emperor. Upon these grounds, they hesitated for two years after the death of Louis, which took place in 1347, to recognise Charles as emperor. At length, however, they consented to accept him, on condition of his being elected again at Frankfort, and crowned at Aix-la-Chapelle;\* thus throwing a flimsy veil of disguise over that sacrifice of the honour and rights of the empire which they were making to the pope. It was in vain that they endeavoured to make it appear that they did not receive Charles for the sake of the pope and his confirmation; all the world perceived and knew that they had elected him for no other reason than because they were weary of the contest with the Roman see.

During the progress of these affairs, matters were proceeding in other countries of Europe which indicated partly the remaining influence, and partly the decline, of papal authority. In 1312, Edward II., king of England, requested the pope to send legates into his kingdom for the adjustment of a dispute between himself and the other estates of the realm; the cardinals who formed the legation brought with them full power to annul all treaties and compacts which had been formed against the king, to absolve from all oaths by which such treaties might have been confirmed, and to pronounce sentence of excommunication upon all refractory persons, even although bishops or archbishops should be found among the number. The

\* July 25, 1349.

powerful party which was at that time combined against the king, took care, however, that the legates should not enter the kingdom ; and although they laid the kingdom under an interdict on this account, yet their measures took no effect, since the pope (for the king's sake) did not choose to push the matter to extremities.

In 1316, the same sovereign appealed to John XXII. with a request which contained a fresh recognition of all previously existing relations of the papacy to the English Crown, and an express acknowledgment of papal rights in England. The war in which he was involved with the Scotch and their newly-made king, Robert Bruce, had taken an unfavourable turn ; and he felt obliged to seek the interference of the pope, even at a considerable cost. His ambassadors were instructed to promise payment of all arrears due to the holy see, and to pay at once the amount accruing for the current year. The pope hereupon commanded Robert to cease hostilities and to make a truce with Edward, sending at the same time to the Irish, who had taken this opportunity to rebel, an admonition to obedience ; and when his orders on this head were disobeyed, he laid both Scotland and Ireland under an interdict.\* It was a mark of the decline of respect to the papal see, that both Scotland and Ireland at first cared little even for the interdict. In England, the papal legates were plundered by highwaymen. The king himself did not conceal the fact that he had applied to the pope only because he hoped to make good use of him ; and in 1318 his position was improved by a victory obtained over the Irish. The pope, however, derived more advantage from this

\* Raynald. an. 1317, n. 25, 42.

whole affair than he could at first have expected; for the king of Scotland, being now hard pressed by the English, and having applied in his turn to the pope, succeeded, by his humble representations, and probably also by other means which had great influence at the court of Avignon, in inducing the pope not only to take off the interdict from Scotland, but also to compel the king of England to conclude a truce for two years.\* It is probable that Edward felt himself controlled in this matter not so much by respect to the pope as by the interference of the king of France, who had made an alliance with Scotland; still, however, it was an advantage to the Roman pontiff that he had thus interfered in the temporal affairs of princes with an appearance of success, and with the recognition of his right by two sovereigns who had applied to him. At the same time Clement interposed also in the domestic affairs of Edward. His queen Isabella having fled from him to her brother Charles IV. of France, Edward applied to the pope, beseeching him to command her to return to England. Clement accordingly wrote to the king of France, requiring him to send his sister back; and with this request, under colour of a poor excuse, that sovereign complied.

The kings of France, while they often made the popes of Avignon feel that they were in their power, yet suffered them to employ the old style of authority and dictation towards themselves; submitting, in some cases, to receive from them a refusal of their requests, and even the infliction of penalties. Thus, in 1323, John XXII. refused to grant Charles IV. a subsidy which he required, in order professedly to defray the expenses of an expedition to the East,† but in reality

\* Raynald. an. 1320, n. 36, 38, 40, 42.

† Ibid. an. 1323, n. 10.

to enable him to prosecute war with England. Eight years afterwards, when Philip of Valois made enormous demands under pretence of needing a supply of money for the purpose of a crusade, the pope did not directly and entirely refuse, but he accompanied his promise of a subsidy with such strict conditions, in the event of a crusade not taking place, that Philip did not find it desirable to continue the negotiation.\* Benedict XII., the successor of John, finding that Philip had for many years collected the tenth of all ecclesiastical revenues as for the purpose of a crusade, insisted upon his either actually undertaking the crusade or ceasing to collect this money; and, when the king entreated permission to continue to raise this revenue for assistance in his war with England, the pope replied that he could not conscientiously comply with his request.

In 1340, when the English power had obtained such preponderance in France that Edward III. already regarded the country as conquered, and caused himself to be crowned king of France, Philip seized an ambassador who had been sent from England to Avignon. The pope interpreted this act as an affront to himself, and laid the whole kingdom of France under an interdict, to continue in force until the ambassador should arrive in Avignon; and this measure took such effect that the king was obliged to submit, disclaiming any share in the commission of the crime, and offering to assist in punishing the guilty parties.†

In the smaller states and republics of Italy there was for the most part a papal party, more or less powerful and important; and the king of Naples was the firm friend of the pontiff. In Rome there was a

\* Raynald, an. 1332, n. 2—7.

† Ibid. an. 1340, n. 6, 7.

formidable faction against the pope. Here the removal of the court to Avignon was very unpopular, several embassies being from time to time sent to solicit a return; and sometimes the opposition gained great head, as when the Romans opened their gates to Louis of Bavaria, and afterwards again at the exaltation of the tribune Rienzi.\* Still, however, on the whole, Rome was loyal to the papacy, and well understood that it was indebted to it for its remaining greatness.

A. D. 1352.  
Innocent  
VI.

Upon the election of Innocent VI., which took place a few days after the death of Clement VI., in 1352, the cardinals compelled the new pontiff to take an oath to the effect that he would not create any new cardinals during his pontificate without the consent of the whole college,—that he would not add any new members to the college until the number was reduced to sixteen,—and that the number should never exceed twenty;—that he would never act without the advice of the college, and certainly would never deprive or imprison a cardinal without its consent;—and that he would place one half of the revenues of the Church of Rome at the disposal of the cardinals. At the same time each cardinal bound himself by oath to observe all the points of this agreement if at any time he should be elected pope. If this arrangement had taken effect, it would in course of time have changed the whole form of ecclesiastical government, and would have been highly injurious to the papal system. It was, therefore, an act of good service to the papacy when the new pope made it one of the first acts of his government to annul this capitulation, as containing a rash and insane attempt to set limits to the fulness of that power which had been committed to the pontiff

\* More properly, Rienzo;—Nicolo di Rienzo.

by God himself; and very soon the cardinals, convinced of the imprudence of the measure, yielded a willing assent to the deed of cassation.

Circumstances placed it in the power of Innocent VI. to rectify some of the disorders which had abounded in the papal court at Avignon. The war which raged during his whole pontificate between England and France, and the weakness to which the latter was reduced, rendered him more independent of France than his immediate predecessors had been; while at the same time the emperor Charles IV. considered it prudent to make a show of submission to the pontiff.\*

Under Urban V., who succeeded to the pontificate A. D. 1362.  
Urban V. in 1362, all things seemed to revert to the ancient order. He transferred the papal court again to Rome (A.D. 1367), notwithstanding all the representations and remonstrances of the French court, and the complaints of the French cardinals.† The Romans were intoxicated with joy when, in the following year, the emperor having come to Rome, they beheld the spectacle, which had not been witnessed for two centuries previously, of a solemn procession in which the pope appeared as the emperor's superior,—the emperor leading the pope's horse from the castle of St. Angelo to St. Peter's church, and attending him as his deacon at the celebration of high mass.‡ Urban now remained undisturbed at Rome during a space of two or three years; but, to the utter astonishment of the Romans, at the expiration of this time, he declared that regard to the general good of the Church rendered it his duty to return to France.

\* Raynald. an. 1354, n. 5; an. 1355, n. 1.

† Ibid. an. 1367, n. 3.

‡ Ibid. an. 1368, n. 5.

This step could hardly have been occasioned by any necessity of his presence in France for the sake of putting an end to the war between France and England; still less could the pope have been urged to this measure by the entreaties of the French cardinals; and, in fact, he must have been impelled by reasons which are unknown to history. Be this as it may, this untimely return to Avignon was the occasion of many misfortunes to the papacy. The people of Rome were highly incensed at the proceeding; and, Urban IV. having died in the same year, 1370, they had an opportunity of organising their opposition while the pontificate was passing into the hands of his successor, Gregory XI. Visconti again assembled his followers, and carried matters with a high hand. At Florence and Bologna, at Genoa and Pisa, the Ghibellines again lifted up their heads; and in most of the cities belonging to the ecclesiastical states some leader, either aristocratic or democratic, was in possession of the chief power. In order to suppress these disorders, the pope determined, in 1376, to return to Rome, to which he was called, in the name of God, by the fanatical Catharine of Sienna.\* But he was badly received by the Romans, who suspected that he intended to reside among them no longer than necessity should require. He made preparations for a return to France, but died before he could accomplish his object, March 27, 1378. The conclave being held in Rome, the Romans had now an opportunity of influencing the election; and hence arose a long schism, disastrous to the Church, and injurious especially to the papacy.† In this matter some share of blame attaches to each party.

A. D. 1370.  
Gregory  
XI.

\* Raynald. an. 1376, n. 6, 7.

† Ibid. an. 1378.



Immediately upon the death of Gregory, the Roman people declared their determination to insist upon the election of a Roman, or at all events an Italian, pope, and proceeded to measures of violence in order to enforce their demands. An Italian, archbishop of Bari, was then unanimously elected, and presented to the people, by whom he was joyfully received, under the title of Urban VI. There can be no doubt that, with regard to the majority of cardinals, this election was made under the pressure of intimidation, and, therefore, was not free; but at the same time it is equally certain that the cardinals professed it to be the act of their free choice. It is also clear that they were in a condition of complete liberty, or were in a position to obtain their liberty, when they notified the election of Urban to the emperor, to the kings of France and Naples, and to their brethren who had remained at Avignon, without mention of any circumstances tending to cast doubt upon the election.\*

A. D. 1378.  
Urban VI.  
(Rome.)

Soon, however, Urban made it appear that he was bent upon reducing the influence of the French party among the cardinals. He upbraided them with their luxury and vices, diminished their pensions, and required possession of the castle of St. Angelo, which had been in their occupation, or under the power of their adherents. Hence, therefore, in May of the same year, this section of the cardinals, having retired to Anagni, where they were protected by the presence of some French troops, invited the pope to hold a conference with them on the affairs of the Church, intending, no doubt, to compel his consent to the return of the papal court to Avignon. Still

\* See this remarkable document, subscribed by sixteen cardinals, in Raynald. an. 1378, n. 19.

they recognised him as pope.\* Soon, however, finding that he was adopting measures with a view to maintain his ground against them, they resolved upon proceeding to extremities in self-defence. They invited the cardinals who remained at Rome to join them at Anagni, in order to consider what measures were to be adopted with reference to the late scandalous election. Upon their refusal to comply with this invitation, they sent to the king of France, Charles V., a report of the compulsion under which they had on that occasion acted; and, as soon as they had received the assurance of his support, on the 2nd of August, they published a manifesto, declaring to all the world under what circumstances Urban had been elected.† Urban now endeavoured to enter into negotiations, and offered to submit the validity of his election to the decision of a General Council; but this proposal was met by a new manifesto, warning all persons to have nothing to do with this sacrilegious man, and calling upon him to vacate the chair of St. Peter without delay.‡ After the expiration of a month, the cardinals elected one of their own body, whom they set up as the only legitimate head of the Church, under the title of Clement VII. The fault of the protracted schism which ensued is to be equally laid upon both parties.

A. D. 1378.  
Clement  
VII.  
(Avignon.)

The emperor of Germany, the kings of England, Hungary, and Poland, of Sweden and Denmark, declared themselves immediately in favour of Urban; the counts of Castile and Arragon seemed to hesitate which side to take; France, Scotland (in alliance

\* Raynald. an. 1378, n. 28.

† Ibid. an. 1378, n. 42.

‡ Ibid. an. 1378, n. 48—50.

with France), and queen Joanna of Naples took the part of Clement. Clement at first endeavoured to maintain his position in Italy by the assistance of Neapolitan arms; but he soon found himself compelled to retire from Anagni to Naples (A.D. 1379), where, however, the court could not protect him against the people, so that he was glad to escape to France by sea.

Each of the rival pontiffs now excommunicated the other, and declared his adherents schismatical;\* but Urban showed himself far more ready than Clement to yield to measures which might effectually put an end to the schism. Again he declared himself ready to refer the question of the validity of his election to a General Council; but, as this was to be upon the understanding that in the mean time he should be recognised as the legitimate pope, he could hardly expect his opponent to assent to his terms. Six years afterwards, Clement made a somewhat similar proposal, but accompanied with conditions which secured its rejection. Urban died in 1389, execrated and despised even by his own adherents in Italy, where he had caused six cardinals to be put to death.† This unpopularity might have served as a ground for the Romans to desire reconciliation with the pope at Avignon; but such was their aversion to the French that they hastened to elect another pope, Boniface IX., before the other party could find time even to enter into negotiations.

A. D. 1389.  
Boniface IX.  
(Rome.)

Boniface made a proposal to Clement that, if he would resign his pretensions to the pontificate, he, on his part, would appoint him his legate in all countries

\* Raynald. an. 1379, n. 27.

† Ibid. an. 1385, n. 1; n. 1387, an. 10.

which had hitherto acknowledged him as pope.\* At this juncture, the university of Paris, and especially its college of divines, including many eminent and excellent men, began to make earnest efforts for effecting a settlement of this dispute, for the sake of the general welfare of the Church; and such was the influence of this university that it could not be disregarded either at Avignon or at Rome. In a formal memorial, drawn up by Nicholas de Clemangis on behalf of the university, and presented to the king (Charles VI.), June 30th, 1394, the university recommended either the voluntary abdication of both popes, or submission to the decision of an umpire, or the decree of a council, as the only possible means of putting an end to the schism; declaring their decided preference of the first of these plans, as at once the most certain and the most expeditious, and urging the king to employ his authority and influence in order to effect it. The university, at the same time, sent a copy of this memorial to Clement at Avignon, which exasperated him to such a degree as to occasion his death.

At the instance of the university, the French court now called upon the cardinals at Avignon not to proceed to the election of a new pope. The cardinals declared that this was inconsistent with their duty; but, having offered to bind the newly-elected pope, by an oath, to perform an act of abdication as soon as the pope at Rome should do the same, they elected the cardinal Peter de Luna, under the title of Benedict XIII.,—a man who had hitherto greatly contributed to prolong the confusion of affairs, while falsely pretending to be most anxious for the

A. D. 1394.  
Benedict  
XIII.  
(Avignon.)

\* Raynald, an. 1389, n. 14; an. 1390, n. 8.

restoration of unity and concord. Benedict took the oath required; but, when called upon to abdicate according to the prescribed terms, he refused. The question was now raised at Paris how to compel him to accomplish this act; and it was resolved that the most effectual means would be to withdraw his revenues, by no longer allowing him to collate to French benefices, and by not paying the annates, or first-fruits.\* At the same time, the king of France endeavoured to engage the courts of Europe in the work of pacification. In the following year (1396), Richard, king of England, began to co-operate with him,† and undertook to treat with his pope, Boniface IX., in order to induce him to make a voluntary abdication. In 1397, the German estates also, in an assembly at Frankfort, deliberated concerning the same matter. A common embassy was sent from several princes to Rome, bearing this proposal to the pope and cardinals; and the emperor Wenceslaus seemed, for a moment, disposed to step in as supreme protector of the Church and settle the question by an imperial decree. But neither of the popes really desired this result; rather, each was anxious to maintain his own ground, and to throw impediments in the way of peace. This desire appeared more plainly in the conduct of the French pope than in that of the Roman, and hence he became the more unpopular amongst the sovereigns of Europe, who felt that their efforts at compulsion must be directed chiefly against him. France began the task. In 1398, the king published an edict, inveighing, in the strongest terms, against the disgraceful conduct of both popes, especially Benedict; renouncing, in the name of the

\* Raynald. an. 1395, n. 15.

† Ibid. an. 1396, n. 2.

French nation, all obedience to him ; refusing him all protection ; and enacting that the French Church should be governed only by its own bishops, by whom alone all vacant benefices should be filled up. At the same time, the king declared that the other pope should not be recognised as such, and called upon the king of England and the emperor to adopt similar measures ; and, having received the adhesion of the king of Castile\* and the emperor, he proceeded against Benedict by sending an army to Avignon, which, though it did not succeed in dislodging him from his strong palace, kept him shut up as a prisoner for the space of three years.

These measures would probably have soon put an end to the schism, but for the deposition of Wenceslaus, and the election of Robert, in Germany, A.D. 1400. Robert thought that he stood in need of a pope such as Boniface ; he therefore declared himself on his side, and by an expedition into Italy, 1401, he contributed greatly to sustain his power.† Hence the great advocate of Benedict at the French court, the duke of Orleans, found it tolerably easy, in 1403, to induce the king to enter into negotiations with him ; the result of which was a reconciliation on terms sufficiently easy to Benedict, who was made only to promise that he would abdicate as soon as the interests of the Church should make such a step necessary. In order still further to protract and to complicate the affair, Benedict sent an embassy to Rome (in 1404), inviting Boniface to a personal conference for consultation concerning the best means of restoring peace. Boniface died during the visit of

\* Raynald. an. 1398, n. 25.

† Ibid. an. 1400, n. 12 ; an. 1401, n. 2, 6, 9, 26.

these ambassadors at Rome ; and they did not fail to employ their utmost influence to persuade the cardinals to elect Benedict, and thus at once to put an end to the schism. Benedict, however, had already made himself so universally unpopular that the cardinals chose rather to elect a new pope, Innocent VII., imposing upon him the condition of abdication as soon as the same step should be adopted by Benedict ; and upon the death of Innocent, in 1406, they elected Gregory XII. on the same condition. No abdication, however, took place ; and Europe began earnestly to look round for some other method of terminating the dispute. Benedict, still interposing excuses and delays, received notice from the king of France not to provoke him to withdraw his protection a second time ; whereupon he published a bull, pronouncing excommunication against all those who should, at any future time, withdraw their obedience from him. This it was which, at length, convinced the whole world that nothing could be accomplished by any of the methods hitherto attempted, and that some more effectual course must be adopted. As long ago as 1398, the university of Oxford had earnestly proposed the assembling of a General Council ;\* and it was to this expedient that the minds of men now recurred, after the doctors at Paris had decided that even popes were bound to submit to the decrees of such council. The difficulty was, to determine what measures to begin with in order to the convening of this council. It was soon, however, resolved that this step should be effected by the cardinals of both parties ; nor was it difficult to

A. D. 1404.  
Innocent  
VII.  
(Rome.)

A. D. 1406.  
Gregory  
XII.  
(Rome.)

\* Raynald. an. 1398, n. 32—38.

obtain a majority of them, who met at Pisa, in 1408, and convened a General Council, to assemble at that place in the following year, 1409. The announcement of this decision was everywhere received with great joy, notwithstanding that each of the rival popes had, in despair, convened a council in opposition,—Gregory XII. at Aquileia or Ravenna, and Benedict at Perpignan.

The eyes of men were turned towards this council at Pisa for the accomplishment of an object still more important than the mere termination of the schism, which was nothing less than the general reformation of the Church, including a limitation of the papal authority and power. The aggressive nature of this power had been felt especially during the schism, when there were not only two popes instead of one, but each was driven to the adoption of violent measures for the support of his own cause, tending to deepen a conviction already existing, especially in France and England, that some measures must be adopted in order to put an end to papal exactions and oppression. Such was the prevailing sentiment of the ambassadors of more than twenty of the European powers, great and small, the delegates of fifteen universities, and more than three hundred doctors of theology and canon law, who assembled at Pisa, in March, 1409. Somewhat different, perhaps, were the views of twenty-two cardinals, sixteen archbishops and patriarchs, and eighty bishops, who formed the nucleus of the council; but, among the archbishops and bishops, at least one half were as fully bent as the civil power upon the accomplishment of the so-called reformation. Still more was this the case with three hundred proctors of absent bishops and abbots, and the



deputies of more than one hundred chapters,—these being the parties who had suffered most severely from the oppression and exactions of the papal see. From the temper of the council, the cardinals soon found themselves obliged to promise that any one of their body who should be elected as pope should not suffer the council to separate without carrying into effect a fit, rational, and efficient reform of the Church, both in its head and in its members; and they proposed that any pope who should be elected, not being one of their body, should enter into the same engagement. This was, in fact, to acknowledge that the reformation was the chief business of the council, and that its first duty was the termination of the schism. In the fifteenth session, June 5th, the council decreed that Benedict and Gregory, as schismatics, heretics, and perjured persons, were deposed from the pontificate, and that henceforward neither of them should be recognised as pope by orthodox Christians. In one of the sessions immediately following, the cardinals made their solemn promise concerning the work of reformation; whereupon the council did not hesitate to leave the choice of the new pope entirely to them. They went into conclave on the 15th of June, and on the 26th they presented to the council the cardinal Peter of Milan as the new head of the Church, under the title of Alexander V. In the session of the 1st of July, at which the new pope presided, he not only promised immediately to enter with zeal upon the work of reformation, but he called upon the council to form a committee, consisting of some of its most learned and fit members of all nations, to confer with the cardinals on this subject, and to take the necessary preliminary measures. But, after the despatch of

A. D. 1409.  
Alexander  
V.  
elected by  
Council of  
Pisa.

some other business, the work of reformation was speedily postponed until the next council, to be assembled within three years. This must have taken the greater number of the members entirely by surprise, no ground for this postponement being apparent; but the whole direction of the council had been left in the hands of the cardinals, and it could hardly have been expected that they would really endeavour to promote a reformation which would, in fact, consist, to a great extent, in withdrawing power and wealth from themselves. Nor was the new pope, whom they now chose, at all likely to act as a reformer. Immediately on his accession, he released the Church from the burden of many papal exactions, and he gratified the assembled bishops by a liberal and even profuse distribution of benefices, expectancies, and other favours; while the promise of a future council served to suppress that outburst of indignation which might have been expected to follow his refusal to fulfil the promise of immediate reformation.

The sentence of deposition pronounced by the Council of Pisa against Benedict and Gregory took effect only in those countries which had already renounced obedience to them. Each of these popes retained a certain number of faithful adherents, who acknowledged him as the only lawful head of the Church; so that the schism was not ended, but only aggravated, there being now three popes instead of two. But the party of Alexander V. was by far the strongest, Gregory being acknowledged only in Italy and in some of the smaller states of Germany, and Benedict XII. only by Scotland and Arragon, and one or two insignificant provinces.

In 1410, Alexander V. was succeeded by John A. D. 1410.  
 XXIII., who had already become leader in the college of cardinals. John XXIII. This pontiff, who in his youth had been a pirate, and had been subsequently distinguished by rude energy and the violence of his measures, probably expected to be able to rule with a strong hand, and to bring his two rivals to submission without the intervention of the promised council. Soon, however, he found himself constrained by circumstances, and especially by the disposition of the new emperor Sigismund, to convene the council, only two years later than the time fixed at Pisa; and he ordained that it should meet at Constance, within the dominions of the emperor of Germany. At the opening of this council it became evident that the desire for reformation had gathered strength since the date of the Council of Pisa, and that the elevation of John to the pontificate had contributed in no small measure to this result, the minds of men having been outraged by the appointment of an ecclesiastic so notorious for his vices and excesses, at the very moment when they had begun to call for reform of the Church in its head and in its members.

It had been noticed at the Council of Pisa that the ancient manner of deciding by individual votes was greatly in favour of the pope and his party, on account of the number of Italian bishops who accompanied him, and from his influence in attaching individuals to his interests as his creatures and dependents. At the opening of the council at Constance it was proposed by some leading members that the votes should now be reckoned, not by individuals, but according to the nations represented; that all individuals present should be divided into four national sections, as French,

English, Italian, or German, and that the bishops and divines of each nation should first deliberate in separate congregations upon all the questions brought before the council, and decide according to the majority of votes in that congregation, which decision should be reckoned as the vote of that nation in the general sitting of the council. By this means the overwhelming number of Italian votes would no longer be dangerous, inasmuch as they would only contribute to make up the one vote of that nation ; while the votes of the creatures of the pope scattered throughout all other nations, which were of weight only when combined, would only form a minority in each nation. This measure was accordingly opposed by the pope and his adherents ; but its promoters enlisted the emperor on its side, and succeeded in carrying it without any considerable delay.

The adverse disposition of the council was still more decidedly displayed with reference to the question which next arose, as to the order in which the subjects before it should be discussed. It was soon, however, decided that the acts of the Council of Pisa must be regarded as null and void, and that all the existing popes must be called upon to make a voluntary abdication. John, for his part, at first refused to make any abdication. He was subsequently terrified, by an appearance of prosecution, into a promise to abdicate upon certain conditions ; but, when he found that the council would insist upon unconditional abdication, he fled by night from Constance to the territories of Frederic, duke of Austria, who had undertaken to protect him. Here he hoped to be able to set the council at defiance, or at all events to compel it to consent to his own conditions. The council, however,

was resolute, and, under the auspices of the emperor, who had determined that its sittings should be continued in the absence of the pope, it sent a message to John, requiring his immediate return or the transmission of his act of abdication. On the 7th of April, his protector Frederic of Austria was placed under the ban of the empire, and was soon compelled to submit to all the demands of the emperor, including even that of bringing back John to Constance. Here, while he still refused to abdicate, it was resolved to proceed against him in the way of prosecution for criminal conduct, with a view to his deposition. He was accordingly cited to appear before the council to answer the charges brought against him: upon non-appearance at the end of nine days, sentence of suspension was pronounced; and, in the course of the next fourteen days, during which time he was brought as a prisoner into the neighbourhood of Constance, so many of the seventy charges brought against him were established as to justify the sentence of deposition, which was pronounced on the 29th of May. Gregory XII. sent in his act of abdication on the 4th of July following; and was made cardinal bishop of Porto, and perpetual legate in the March of Ancona, a dignity which he retained during the remaining two years of his life. Benedict, however, continued obstinately to resist all overtures. The emperor, who sent to him in person, could only obtain a promise of abdication under the most monstrous conditions; but he prevailed upon the kings of Arragon, Castile, and Navarre, to withdraw their obedience, and, on the 6th of January, 1416, formally to renounce their protection of Benedict. After this, the council proceeded against this pontiff in the same manner as against

John, and sentence of deposition was pronounced, July 26, 1417. Benedict, now ninety years old, would not yield; he retired to a fortress at Peniscola, in the kingdom of Valencia, and thence fulminated a sentence of excommunication against the whole world, with an interdict also upon the kingdom of Arragon. Here he remained until his death in 1424,\* with four cardinals whom, before he died, he bound by oath to elect one of their number as his successor. In this position, however, Benedict was no longer formidable to the Church; the schism was, in fact, at an end; and the council now felt satisfied that the new pope whom it should elect would be recognised by the universal Church. There was therefore now no impediment in the way of its proceeding to the great business of ecclesiastical reform; and some measures in this direction had been already taken while it was occupied with the determination of the schism. During its fourth session, the council had prepared a decree establishing it as a constitutional principle that a General Council represents the whole Church catholic, and that, as the Church has received its power immediately from Christ, even the pope is bound to submit to all its regulations, especially to those which relate to matters of faith, and to the reformation of the Church in its head and its members, — a measure which was strongly recommended by the celebrated Gerson, chancellor of Paris, and by Peter d'Ailly, cardinal of Cambray. It was now proposed by the emperor that the election of the new pope should be deferred until the questions of reformation had been settled; but this proposal was met with so strong an opposition from all the national sections of

\* Raynald, an. 1423, n. 7; an. 1427, n. 20.

the council, except the German, that he was obliged to abandon it, after a series of stormy debates. Even Gerson and D'Ailly resisted this proposal; but at the same time they and others were fully prepared to make common cause with the emperor, if the new pope, after his election, should throw any impediments in the way of reformation. At the suggestion of the German nation, the council agreed that the new pope should be bound by oath not to quit Constance, nor to dissolve the council, until the reformation should have been accomplished. And in the remarkable thirty-ninth session of the council, October 9th, 1417, it made the most important regulation that, for the future, a General Council should be held at least once in every ten years, but that the next should take place at the expiration of five years after the termination of the present Council of Constance. By a second decree of the same session, made with a view to prevent the recurrence of a schism, it was ordained that if a pope should at any time have notice of the existence of an anti-pope, he should immediately convene a General Council, at which neither of the rival pontiffs should preside, but, from the moment of its meeting, both popes should be bound to suspend their functions of government.

The result of all this was that a work which bore the name of reformation was accomplished before the council separated, but a work so trifling and inefficient that the council was ashamed to recognise its own offspring. And thus the predictions of the emperor and the German bishops were fully verified.

Each of the other nations having vainly endeavoured to secure a pope of their own, the choice was ultimately left to the Italians. The new pontiff elected by the

cardinals\* was raised to the papal chair under the title of Martin V.

A. D. 1417.  
Martin V.

The new pontiff was a man who had been hitherto distinguished by his moderation, and by a certain liberality of sentiment and conduct. All this, however, had rested only on the surface of the character of an accomplished man of the world, belonging to one of the first princely houses of Rome; and it is therefore not surprising that the hopes which many persons had ventured to build upon this fair appearance were doomed to suffer disappointment. Immediately after his coronation, Martin nominated a commission of six cardinals who should confer with the deputies of the several nations on the matter of reformation. Before this committee were laid eighteen articles in which the council had already stated the grievances that required reformation; and to these the German national section appended a project of their own, which they delivered to the pope under the title of *Advisamenta Nationis Germanicæ*. In January, 1418, scarcely two months after it had begun its labours, this committee was ready with its report, which the pope laid before the council (*Reformatio Martini papæ in Capite et Curia Romana*). But the committee had attended only to the points which were laid before it by the council, relating to some comparatively modern innovations and acts of papal oppression. Concerning the chief of these points, the report said that—circumstances did not permit any alteration. With respect to some others, it promised an improvement, by which only a very small part of the evils complained of could be removed. With regard to two or three of the least important, the report magnanimously professed

\* Nov. 11, 1417.



to adopt the recommendation of the council for their entire removal. The council laboured in vain for any further concessions ; and, wearied out by the firmness and determination of the pope, it consented, to the great discredit of its wisdom and courage, to accept the few paltry concessions that had been made as an equivalent for that great and extensive work of ecclesiastical reform which it had so loudly demanded. It had indeed so far a feeling of self-respect as not to embody its work in any synodal decree ; but at length it accepted the proposals of the pope in another form. Concerning the matters which the council had desired to be reformed, or the grievances which it had proposed to be redressed, almost every one of the nations represented at the council concluded a separate compact with the pope, by which he conceded on the whole about as much as he had already proposed to concede to the council. At the same time, consistently enough with his line of policy, Martin published, under the form of papal ordinances or constitutions, in a public session of the council, those other articles which were contained in his project of reformation. And after he had thus given the final blow to the character of the council, he announced to the members, in their forty-fifth session, that they might now separate, in the name of God, since their work had been accomplished. To each of the members, at his departure, he gave a plenary indulgence, the virtue of which, under certain conditions, was to last until the hour of death ; and to the emperor he granted, besides the plenary indulgence, a tenth of all the revenues of the German churches,—a gift not only made without the consent of those churches, but one against which they protested. The whole council

attended the pope in solemn procession to the gates of Constance, the emperor leading his horse by the bridle.

At the opening of this council, it could hardly have been expected that the spirit of reform, which was then so zealous and ardent, could have been thus allayed. But, during the debates concerning the election of the pope, there sprang up a jealousy among the several nations of which the council consisted; and especially there was a feeling of ill-will on the part of all the other nations against the Germans. It was this state of things which gave full scope for the machinations of the enemies of reform, and secured a preponderating influence to the new pope when elected.

By this result of the Council of Constance, the measures which had been adopted for future progress in the work of reformation were rendered nugatory, and, in fact, reversed. As to the position which had been established relating to the superiority of a General Council to the pope, Martin published a bull, which he caused to be read in the council, declaring all appeals from a pope to a council unlawful and prohibited; nor did the council venture to protest against this bull. What, then, could be expected from a new council, which, according to the regulations lately passed, was to assemble in five years, even if it should really meet? Twelve years elapsed before another council was convened; and it is probable that none would have been assembled throughout the remainder of the century, had not unexpected circumstances called one into existence.

During the last quarter of the fourteenth century an opponent of the papal power had appeared in

England, who boldly attacked it at some of its deepest foundations. This was no other than John Wickliffe, head of a college, and afterwards professor of divinity, at Oxford. In the year 1360, he engaged in a controversy with the powerful order of Mendicant Friars, who, upon their appeal to Urban V., obtained from him a decision in their favour, against Wickliffe, in 1370. Wickliffe, with the greater part of the English clergy and people, had already felt no small indignation at the treatment which the English had received from the popes; and men were disposed to resist that claim of feudal sovereignty which had been put forward by the papal see with reference to this kingdom. To these sentiments Wickliffe now gave open expression; and, at the same time, he found himself conscious that many of his views of divine truth were opposed to the decrees of popes and the influence of the Roman see. He did not hesitate to declare his conviction that it was now high time that a change should be made in the papacy and its relations to the Church. He not only insisted upon the necessity of recalling those new powers of provisions, reservations, and dispensations, of which the ancient Church and the old canon law knew nothing,—openly affirming that by these new claims the pope had become antichrist,—but he attacked, in general, the claims of the pope to ecclesiastical supremacy, or, at all events, he denied the divine right of this supremacy. He would not allow that the pope was to be regarded as the infallible depositary of religion, or the sure oracle of doctrine according to divine institution; for popes, said he, like other men, may err, and it was even notorious that they had erred: and he said that it would probably be best not to elect

another pope at all, since it was so difficult to obtain a good one, and the Church could do very well without one.

These ideas were not wholly new. Some of the Franciscans, although adverse to Wickliffe, had expressed themselves even still more strongly in the same way during their quarrels with the popes, and had systematically endeavoured to destroy respect for the papacy in the minds of the people; and disgust at papal abuses had been often expressed by the nobility and superior clergy of England. So that Wickliffe could reckon upon the support of a powerful party in his opposition to the papacy, and against the attacks which he had reason to expect.

In 1377, Gregory XI. called upon the king, the bishops, and the university of Oxford, to proceed against this heretic; upon which the bishop of London made preparations for a formal process against him, to take place at a council: but the duke of Lancaster placed himself at the head of his protectors, and argued so strongly in his favour that the bishop would not venture to condemn him, but contented himself with prohibiting him from any further dissemination of his opinions.\* This prohibition, however, could give no check to the opinions of Wickliffe; and the great schism contributed to give them currency and favour. They spread beyond the limits of England, and, doubtless, tended to awaken men's minds to a sense of the necessity of ecclesiastical reform; and, after the Council of Constance, the effects of Wickliffe's teaching on the Continent became manifest in connection with the movements excited by Huss.

Soon after the beginning of the fifteenth century,

\* Council of Lambeth, A. D. 1378.

the celebrated John Huss, professor of divinity and preacher at Prague, became acquainted with the writings of Wickliffe, which were said to have been brought to Prague by some English scholars who were attracted thither by the fame of its University. This acute and pious man felt the influence of Wickliffe's spirit the more readily on account of its resemblance to that of Conrad of Waldhausen, Milicz of Kremsier, and Matthias of Janow,—who had already distinguished themselves at Prague as bold and zealous preachers of a purer and more practical Christianity than that which generally prevailed. Huss boldly proclaimed his own convictions; and the high esteem in which he was held by the people, in the university, and even at the court itself, soon procured him a large number of adherents in Bohemia. In this circle he propagated the doctrines of Wickliffe, especially those concerning the pope and the Church, penances and indulgences; and he accompanied this teaching with severe invectives against the ambition and avarice, the vices and excesses, the ignorance and follies, of the clergy and the monks. Soon, however, he encountered a formidable enemy in the person of Sbynco, archbishop of Prague, who adhered to the party of the Roman pope, Gregory XII., deposed by the Council of Pisa in the year 1409, while Huss, on the contrary, insisted upon obedience to the commands of the king, who desired that Bohemia should acknowledge the new pope elected by the council. Huss brought over the whole university of Prague to his side; and eventually the archbishop found himself obliged to declare for the new pope. But Sbynco, now the determined enemy of Huss, denounced him to the

new pope as a heretic, and raised a storm of persecution against him which tended to give publicity and effect to his opinions, while it aroused his adherents to steadfastness and zeal in their defence. The pope, Alexander V., pronounced against the reformer a sentence from which he appealed "*ad papam - melius informandum.*" From a second sentence, in 1411, Huss appealed to a council; and this appeal gave the emperor Sigismund an apparently good ground for demanding his appearance at Constance. The council persuaded the emperor that, notwithstanding his safe-conduct, he was bound to deliver Huss into its power; and, having failed in its attempt to induce him to recant, it then condemned him to the flames.\* The whole nation, enraged at the insult which had been offered to it in the person of Huss, renounced obedience to the weak Sigismund, and, under the lead of Ziska, offered a successful resistance to his arms, while the doctrines of Huss gained a firm footing in the country.

This commotion gave breadth and intensity to the desire that the question of papal authority and power should be finally settled in an orderly and peaceable way; and hence the general demand for a new council, which the pope, at length, found himself obliged to convoke. Martin died before the time fixed for the assembly, which was appointed to take place, at Basle, in the year 1431; but the cardinals administered an oath to his successor (Eugenius IV., elected March 3, 1431), binding him not to hinder the meeting of the council.†

From this Council of Basle more might have been expected than even from that of Constance: the ideas

A. D. 1431.  
Eugenius  
IV.

\* July 6, 1415.

† Raynald. an. 1431, n. 3, &c.

and hopes of reform had gained ground ; and men, remembering how they had been disappointed by the results of the two previous councils, were resolved to make good use of the experience they had gained. And yet, after all, they were deluded and disappointed, although not so easily, yet no less effectively, the third time also !

The temper of this council was from the first highly unsatisfactory to the pope, and menacing to his interests ; and he speedily formed the determination of putting an end to its sittings as soon as possible. Before its members were well assembled, he sent an order to the cardinal legate who had been appointed as its president to dismiss the few bishops and delegates who had already come to Basle, and to announce a new council to meet shortly at Bologna, under the presidency of the pope in person. To his astonishment, however, Eugenius found a firm resistance to this mandate on the part of the new and scarcely-assembled council, which he expected so easily to scatter. The cardinal legate himself remonstrated, and hesitated to make known the command he had received ; while several cardinals, who were dissatisfied with the new pope, hastened to join the council, which daily gathered strength, and set itself in an attitude of resolute opposition to Eugenius. In its first session, December 14, 1431, it formally constituted itself, and recognised the question of ecclesiastical reform as one of the principal subjects which lay before it. In its second session, February 15, 1432, it sanctioned the great principle of the Council of Constance concerning the superiority of a General Council to the pope, and adopted some prudent measures for its own protection, determining that the existing council

should not be dissolved, transferred, or prorogued by any external authority, without its own consent,—that its members should not be amenable to any other tribunal, not even to the court of Rome,—and that none of them should leave the council, without good cause, to be admitted as such by the council itself. The pope, however, notwithstanding representations from various quarters, continued to insist upon its dissolution. In its third sitting the council represented to the pope the injustice and impropriety of these attempts at dissolution, called upon him to revoke the bull which he had published to that effect, and fixed a term of three months within which he must appear at Basle, in person, or by a plenipotentiary, to take his proper part in the deliberations of the assembly; and it decreed that this citation, which, probably, he would not permit to be served upon him personally, should be affixed to the doors of the papal palace and of the principal churches of Rome and other places. It provided also that in case of the non-compliance of the pope, the council should continue its sittings and proceed in its deliberations for the good of the Church. In its fourth session, it enacted that the pope should create no new cardinals during the sitting of the council, and that, in case of the vacancy of the holy see, the election should take place only on the spot where the council was assembled. These decrees were maintained with firmness during the fifth session, in opposition to the representations of an embassy which the pope had sent to Basle, pleading the infallibility and the “*plenitudo potestatis*” of the pope as head of the Church;—against which the council contended that these qualities did not reside in the pope, but in the whole Church, represented



by a General Council,—the pope being only the ministering head, “*caput ministeriale*,” of the Church. In the sixth session, the friends of the council moved that, the term prescribed having now expired, the pope should be declared contumacious; but in the eighth session a new term of sixty days was allowed to him, —a decree, however, being passed, by which any new council, assembled at Bologna or elsewhere, was declared schismatical and irregular, and all kings, princes, and prelates were forbidden to attend it, under pain of excommunication and deposition. In the twelfth session, thirty days more were allowed to the pope; and in the thirteenth session, September 11, another similar space was granted, the pope having shown some disposition to yield, and appearing to desire only to settle the form in which he should give his assent to the proceedings of the council.\* The firmness and decision of the council prevailed. At the end of 1433, the pope, involved in a war with the duke Visconti of Milan, was obliged to quit Rome, and seek safety in Florence, his enemies professing that they had acted at the instigation of the Council of Basle, and with a view to compel him to obey its decrees.† Fearing a fate similar to that of John XXIII., Eugenius now determined to submit. He declared himself fully reconciled to the council, recognised the validity of all its acts, and revoked all his proceedings against it. While rejoicing in this reconciliation, the council at the same time made ample provision for its own security against papal encroachment or undue influence, and for the maintenance of its rights and privileges as announced by the Council of Constance. In its eighteenth session,

\* Raynald. an. 1433, n. 18.

† Ibid., n. 35.

June 25, 1434, it repeated the decree of Constance which declared the superiority of a General Council to the pope ; and soon after this a fresh rupture took place between the council and the pope. In its twentieth session, January 22, 1435, the council applied itself to the task of reformation, directing its measures chiefly against the authority and claims of the pope. With the exception of a decree against clerical concubinage, and some regulations concerning certain abuses and disorders in matters of Divine worship and the conferring of benefices, almost all its acts of reformation had reference to the pope alone, being directed with a view to place the papal revenues and authority upon the footing of two centuries earlier. And now the pope resolved upon coming to open war with the council ; he felt that, at all events, he could lose no more than what the council was disposed to take from him, and this inspired him with an obstinacy and fixedness of purpose which, at length, but not until after a protracted struggle, led to victory.

Eugenius, having taken this resolution, reverted to his old attempts to dissolve the council, or, at least, to remove it to some other place ; and the Greek emperor now furnished him with a better pretext for this proceeding than he had formerly possessed. Pressed by the Turks, the emperor had already declared himself willing to promote a reunion of the Greek Church with the Latin ; he was even ready, with his bishops, to attend the council now sitting, if only the Western Church would make convenient arrangements. Hereupon the pope declared that the emperor could not be expected to travel further than Italy, and announced that, on this account, the seat

of the council was transferred from Basle to Ferrara. The bishops at Basle, determined not to remove to Italy, had already considered what they could do for the accommodation of the Greeks, and had consented to transfer the council to Avignon, there to await the arrival of the emperor; having, however, prescribed a term within which the pope must appear among them. Eugenius, in the mean time, caused the Venetians to convey the emperor and his bishops to Italy; and on the 8th of January, 1438, he opened his council at Ferrara,—declared the assembly at Basle schismatical, and all its acts invalid,—and proceeded with his council at Ferrara as if there was no other in the world. The council at Basle took no alarm at these proceedings. In its thirty-first session, January 24th, 1438, it declared the pope suspended, and announced that the administration of all the power of the papacy, whether civil or spiritual, had now reverted to itself. In its next session, March 24, it pronounced the council at Ferrara schismatical, and commenced formal proceedings for the deposition of Eugenius. The severity of this last measure, however, shocked many of the fathers of this council, and they themselves earnestly began to devise measures by which it might be rendered needless, and averted. Here, however, the firmness of the opposing party prevailed. In the thirty-fourth session, May 25, 1439, the sentence of deposition was formally announced; and on the 27th November following, the council agreed upon the election of a new pope in the person of Amadeus, duke of Savoy, who took the title of Felix V. (Felix V.)

If France and Germany had received these decrees of the Council of Basle, the cause of Eugenius would

have been hopelessly lost. In 1438, when the new breach between the pope and the council took place, the king of France, Charles VII., had accepted the decrees of the council concerning ecclesiastical reform, and by an edict, known as the Pragmatic Sanction of Bourges, had constituted them fundamental laws of the French state and of the Gallican Church. In the year following, the most important of these decrees were also solemnly accepted by the German nation in a diet at Mayence. All these events threatened the pope with an unfavourable issue of the dispute now pending between the council and himself; but the intervention of more favourable circumstances effected his deliverance at the very moment when his cause appeared desperate.

This result may be attributed, no doubt, very much to the dread of a schism, even in name, which prevailed especially in Germany, where such an event was regarded as the greatest calamity that could possibly occur. The estates of the empire accordingly admonished the council to desist from its proceedings against the pope. Not succeeding in this attempt, they then declared themselves neutral, with a view to put themselves in a position to mediate; and, upon occasion of the election of the emperor Albert II. (A. D. 1438), they agreed to employ their efforts for effecting a reconciliation between the pope and the council. All this was greatly to the advantage of Eugenius. The estates of Germany,—although in a condition of neutrality, during which Germany was nominally withdrawn from the obedience of the pope,—still were in constant intercourse with Eugenius. During this period Romish nuncios were perpetually

treating with one or other of the states, and with these papal agents was soon united one of the most able men of the age, the celebrated *Æneas Sylvius*, of the family of the *Piccolomini* of Sienna, who was thoroughly acquainted with all the German courts, and was well aware of the means which could be brought to bear upon them. By him the new emperor, *Frederic III.*, was won over to the side of the pope; and at length he found means to persuade all the electors, assembled at Frankfort, in March 1446, to propose conditions which the pope would willingly accept. These conditions, in substance, were accepted; the obedience of Germany was again declared; and *Nicholas V.*, who shortly after succeeded to *Eugenius*, immediately notified his assent to the act of his predecessor. By this means the authority of the pope was upheld against the Council of Basle;—the German nation, by the renewal of its obedience, declaring null and void all the measures which had been adopted by that council against the pope. All papal decrees against the council, so far as they were not inconsistent with the agreement now made with the German nation, were declared good and valid; and a bull was accepted in which the pope pronounced absolution to all who had taken part with the council, on condition of their abandoning it within six months, and returning to their obedience to the papal see. At the same time the emperor formally renounced his protection of the council, and commanded the people of Basle not to suffer its members to reside any longer among them. The bishops who remained at Basle then retired to Lausanne, where, together with their pope *Felix*, they continued, or affected to continue, the sessions of the council, until *Felix* made his peace with *Nicholas V.*

A. D. 1447.  
Nicholas V.

and resigned the pontificate, in 1449.\* Nicholas, however, was obliged to concede to the German nation the decrees of Basle, so far as it had accepted them. This concession assumed the form of a Concordat; so that these articles received their validity, not from the authority of the Council of Basle, but from the compact made between the pope and the German nation. This Concordat was concluded at Vienna, February 12, 1448; and by it two principal decrees of Basle, which had been accepted on behalf of the empire, — the decree concerning annates, and that concerning reservations, — were again more or less sacrificed to the pope.

Small, therefore, was the fruit of the labours of the Council of Basle in the matter of ecclesiastical reform; and events occurred which contributed to make the condition of the Church in the latter half of the fifteenth century even worse than it had been before. At Rome it had become evident that there was still a charm in the papal pretensions upon which men could reckon. When the pope had been deposed by the council, no state or sovereign proceeded further against him than the Germans, who only declared neutrality. At the same time, it was well known that there existed everywhere a numerous and powerful party which desired that such measures of reform as those decreed at Basle should take effect, and that this party was likely to persevere in its efforts against the exorbitant power of the popes. It was, however, also plain that this party was not prepared to proceed to extremities, partly from the want of power, and partly from the absence of any determinate principles and aims. But at Rome there could be no

\* Raynald, an. 1447, n. 18; an. 1449, n. 1, 5.

hesitation as to the course to be pursued ; here it was resolved to maintain a firm and bold front against all opposition. With regard to any pontifical rights which were assailed, the policy of the papacy was openly and boldly to continue the exercise of these rights, and to ignore anything like contradiction or protest. It was certain that some voices would continue to be raised against these things, and that the Councils of Constance and Basle would still be in men's memories ; but then every act of opposition could be enfeebled or nullified by a reference to the results of these synods, so well adapted to remind men of their own weakness, and of the preponderance of the papal power. And when Rome had for some time acted quietly and steadily upon the principles of this policy, under the government of several successive pontiffs, there was not only a return to the old state of things, for which a remedy had been sought by the Councils of Constance and Basle, but imperceptibly also, at least in some respects, existing abuses became more legally established and sanctioned than they had ever been before.

Outward events contributed to this result. In 1453, the Turks captured Constantinople and put an end to the Greek empire in the East. A strong sensation was hereby created among the Christian states of the West, mingled with fear that the fanatical conquerors would push their way into Europe. Under these circumstances, the pope found it easy to rekindle zeal for the crusades, and to persuade men that preparations ostensibly made for this purpose were seriously and honourably meant. Perhaps, indeed, the professed designs of Nicholas V., and his successor, Calixtus III., during the two years after the capture

A. D. 1455.  
Calixtus  
III.

of Constantinople,\* were real. Succeeding popes, however, turned the zeal for a crusade to the advantage of the papal treasury, according to the precedents of former times. They raised money, by their mere authority, from ecclesiastical property in the way of imposts,—as though no man could object to these imposts, because the money was required for war against the Turks. They demanded the payment of annates from all the larger benefices, which had been forbidden by the Council of Basle; and they arbitrarily raised the assessment of several bishoprics which they represented as being too lightly taxed, while the people were ready to believe that the proceeds were to be applied to the holy war. Whole troops of sellers of indulgences were despatched into all countries, under pretence that the money which they should remit to Rome would be employed with a view to redeem Constantinople from the hands of the infidels. So that, whatever had been denounced at Constance and Basle, as an abuse of papal authority, was restored to its former currency; and before men could say how it had come to pass, they found themselves in all respects in the same relation to the pope as that out of which they had been extricated with so much pains. Not that this took place without some show of resistance. In 1452, when the pope's new crusading bull was laid before the German estates in a diet at Ratisbon, they seemed to be more shocked at the announced levy of a tenth of all ecclesiastical revenues than at the capture of Constantinople by the Turks; and several German princes and bishops declared that they would not contribute a

\* Raynald. an. 1453, n. 2, 10; an. 1455, n. 18, 25, 28; an. 1456, n. 49; an. 1457, n. 10, 21.



penny to the crusade, on the ground that the whole affair was only a pretence for raising money,—a cover for papal extortion. The archbishop of Treves applied to the emperor for his interference against the new exactions of the Roman see, entreating him, at all events, not to let the German churches be plundered; the archbishop of Mayence spoke of an appeal to a General Council; while other bishops not only refused to contribute, but took from the papal collectors the money which they had raised in their dioceses.\* In these proceedings the Germans doubtless saw a violation of the recent Concordat, at all events as to its spirit and intention; and at the same time the popes were violating this compact in the very letter. In 1457, the chancellor of Mayence complained to Æneas Sylvius that there was not a single article of the agreement which had not been violated on the part of the court of Rome,—by the arbitrary bestowment of German sees,—by the reservation of benefices and dignities which were expressly given to bishops and chapters by the terms of the Concordat,—and by pecuniary demands upon German Churches, which the Concordat had expressly forbidden. Before the lapse of another year, additional instances of the breach of the Concordat occurred. The author of this compact, Æneas Sylvius himself, gave occasion to a fresh invasion of its terms; for, in order to support the rank of a cardinal, to which he was now raised, he caused the pope to collect for him a yearly income of several thousand ducats from the German benefices and cathedrals. And when Æneas Sylvius himself ascended the papal throne, under the title of Pius II., it had become a common practice,

\* Raynald. an. 1457, n. 50.

with respect to all dignities in cathedrals and collegiate churches, which were expressly excepted in the Concordat from certain papal claims, that these were, notwithstanding, filled up from Rome, and that the rights of the pope in this respect were no longer disputed by the chapters. All these things took place notwithstanding the loud complaints of the German states and bishops. In a large assembly of electors, princes, and bishops, on the Rhine, in 1457, a long list of grievances in connection with the violated Concordat was drawn up, and transmitted to the emperor. At a meeting of the clergy of Mayence, Treves, and Cologne, in 1479, at Coblenz, a large number of instances, more or less recent, were collected. At a diet of Nuremberg, in 1487, the emperor and the estates declared that these grievances could no longer be borne. But all these complaints and movements effected nothing. At Rome it was not denied that the Concordat had been violated in some particulars; but it was maintained that the pope must be left at liberty sometimes to act without regard to its provisions, when occasion should require, and that it was always to be supposed that a real occasion existed whenever he should so act, although he might not see fit to give an account of the matter. This was declared by Nicholas V., in his bull addressed to the archbishop of Salzburg, in 1452, scarcely three years after the date of the Concordat; and in 1457, Calixtus III., writing to the emperor, declared that the pope could not be bound by the terms of any compact (*nullis pactionum vinculis coerceri*), and that, whenever he might confine himself to the terms of the Concordat, this was to be regarded as a pure act of generosity or liberality on his part.

Not only were the German churches thus badly treated by the popes, but all the other states of Europe felt the oppression of Romish despotism during the latter half of the fifteenth century, even more severely than they had before the Council of Basle. The six popes who reigned during this period not only resorted to those measures which had been prohibited by the Councils of Constance and Basle, and continued to pursue the same methods of exaction as heretofore, but even carried the latter to a still greater extent, and acted as if with the express design of exposing the decrees of those councils to contempt. Thus, in a bull, bearing date 1460,\* Pius II. condemned the principle, sanctioned by both councils, that an appeal could lie from the pope to a General Council,—and thus also condemned the principle that a council is superior to the pope. The same pontiff pursued the system of exaction with extreme rigour; and during his pontificate was introduced the new abuse of so-called Pensions,—that is to say, an assignment, with respect to all ecclesiastical offices disposed of at Rome, of a certain arbitrarily appointed payment to be made by the new incumbent to a cardinal or some other of the Roman courtiers,—a system which was pushed so far by succeeding pontiffs that, at length, by this burden, in connection with other imposts levied on ecclesiastical property, a full half of all the Church property of the West was claimed by Rome.† To no less an extent prevailed also the abuses in connection with dispensations and indulgences; and most insupportable of all was the haughtiness with which the popes ridiculed

A. D. 1458.

Pius II.

A. D. 1464.

Paul II.

A. D. 1471.

Sixtus IV.

A. D. 1484.

Innocent

VIII.

A. D. 1492.

Alexander

VI.

A. D. 1503.

Pius III.

Julius II.

\* Raynald. an. 1460, n. 10, 11.

† Thomassin, part. iii. liv. ii. c. 31.

all complaints concerning these acts of oppression, and neutralised all attempts which men made to protect themselves against them. The last pope of this period had the audacity to annul the decrees of the Council of Basle, in a new council which he himself convened at Rome.

We may well be surprised at finding that the world was content with thus merely making complaints, and entering protests, without effectually vindicating its independence. But there were various circumstances of the times which contributed to this result. Such was the weakness of the emperor Frederic III., and the high value which he set on his coronation by the pope, for which he went to Rome in 1451, and submitted even to the most humiliating part of the Roman ceremonial,\*—at the same time calling upon the pope to aid him in a quarrel in which he was engaged with the estates of Austria, by pronouncing sentence of excommunication against his opponents,—thus even requesting the pope to interfere in the secular affairs of temporal princes. And the same may be said concerning the weakness of the French kings of this period. Charles VII. would not effectually support his subjects against the pope when the university of Toulouse and other spiritual corporations entreated him to aid them in resisting the levy of a tenth of the ecclesiastical revenues of the kingdom made, by Calixtus III., professedly for the purpose of a war with the Turks; and Louis XI., who succeeded Charles, went even so far as to comply with the demands of the pope for the abolition of the Pragmatic Sanction,—an act, however, from which the parliament of Paris withheld its consent. The papacy

\* Raynald, an. 1452, n. 1—4.

was favoured at this time also by the rising political importance of Italy, which made the European sovereigns desirous of obtaining or preserving some interest or footing in that country, and anxious, on that account, to secure the friendship of the pope, for which they were, of course, willing to pay some price, or make some sacrifice.

Hence, the last three popes of this century more than once ventured, not only to resume the attitude of their predecessors in the thirteenth century, but even to lay plans for the aggrandisement of their temporal power such as no pope of that century would have been bold enough to devise.

Louis XII. of France, highly incensed against Julius II. on account of his opposition to himself in Italy,\* making common cause with the emperor Maximilian I., who had been grossly deceived and ill-treated by the same pontiff, and having gained some discontented cardinals over to his views, convened a General Council to meet at Pisa in 1511;—but never did an undertaking directed against the influence and dignity of the papacy meet with so disgraceful a defeat. The pope himself easily neutralised this council by convening another in the Lateran at Rome; and the result proved that even this measure of precaution was superfluous. The whole assembly which actually met at Pisa consisted only of a few cardinals, two archbishops, five abbots, and some doctors, chiefly from France; the emperor having failed to induce even a single German bishop to attend. This assembly, a few days after its commencement, finding itself not safe in Pisa, transferred its sittings to Milan; and at the end of two months, feeling the same insecurity in Milan, it separated,

\* Raynald. an. 1511, n. 9, &c.

after having in its eighth and last session suspended the pope, who had been cited but did not appear. The Lateran Council, on the other hand, was numerously attended from almost all the Christian states of Europe; and it continued its sittings four years after the death of Julius (in 1513), being universally recognised as a General Council. It received also the sanction of all temporal powers, the weak emperor Maximilian having sacrificed his Milan Council, under the pontificate of Julius, by recognising the Council of Lateran; while the new pope Leo X. received a similar recognition from France, under circumstances which gave it a greater value than that which belonged to the recognition of Maximilian. Francis I., the successor of Louis XII., in 1515, entered Italy the very year of his accession, and advanced in triumph to Milan. The pope was now willing to make terms with him; and the young monarch, thinking that he could turn his friendship to good account, was equally willing to be reconciled. Francis met Leo at Bologna, and here concluded with him the celebrated Concordat, by which he fully and finally renounced the Pragmatic Sanction, and accorded other advantages to the pope, receiving nothing substantial in return.

Thus, at the close of this period, the papacy acquired in its temporal and ecclesiastical relations not only greater splendour than it had formerly possessed, but also, in appearance, greater strength; and it now seemed as if all the storms of the fourteenth and fifteenth centuries had tended only to root it more firmly in the soil of Europe. This, however, was only in appearance; the truth is that its very foundation had been undermined by the doctrines of

Wickliffe and Huss; and when Leo came to the papal throne we find ourselves in an era, upon the consideration of which we do not propose to enter,—the era of the blessed Reformation,—a reformation, not such as had been designed by the Councils of Constance and Basle, consisting in the mere removal of certain ecclesiastical abuses, but one which, while it struck at the very root of all abuses, not content with overthrowing what was corrupt, and destroying what was evil or pernicious, accomplished the great work of giving liberty to the proclamation of gospel truth, and of presenting to men's minds the fundamental articles of Christian faith.

All the existing abuses of papal despotism had been long since directed to the same end,—that of making money. Every fresh act of power was an act of extortion; every new oppression was connected with some financial speculation. Such was the extension of the papal rights of reservation and provision, which, at length, comprehended the unlimited disposal of all ecclesiastical offices and benefices. The way in which the Church of Rome went to work in this matter, and the insolence with which it proceeded in it, from step to step, exceeds all belief. In 1317, John XXII. declared, in his celebrated bull *Execrabilis*, that every ecclesiastical person who held a plurality of benefices was obliged to resign all except one, and also that every benefice so resigned by the incumbent was at the disposal of the pope.\* In 1335, Benedict XII., by a new constitution, *Ad Regimen*,† not only confirmed the reservation of the bull *Execrabilis*, but, moreover, reserved for the

\* Extrav. Johannis XXII. tit. 3, c. unic.

† Extrav. Commun. lib. iii. tit. 3, c. 13.

Roman see all benefices vacated by the deposition or translation of their incumbents,—and all which had been possessed by a cardinal, an official of the Roman court, or any other person whose names occurred under any title whatever in the calendar of that court. And this regulation brought at once into the papal grasp a large number of benefices, since the titles of papal officials and civilists were very liberally bestowed. These reservations were confirmed by Clement VI. Soon after followed the great Schism, during which the two popes wanted more money than ever; and each of the contending popes established it as a general principle that the patronage of all vacant benefices, whether those belonging to Roman courtiers, or those at a distance, should be reserved for the pope, without exception. Under these circumstances, if only a moderate tax or fine were paid for appointment to benefices at the disposal of Rome, here must have been a source of vast wealth to the papal treasury. But, in point of fact, the greater number of these benefices were sold to the highest bidder, regular auctions of benefices being established both at Avignon and at Rome; and almost every purchaser bought, not only his presentation to the vacant benefice, but also a dispensation whereby he was qualified to hold it.

This, however, was not the only means of extortion, or source of enormous revenue, which the popes employed. John XXII. is usually regarded as the originator of Annates, or first-fruits; but although this may be, to a certain extent, correct, yet he cannot be considered as entitled to the whole merit of invention in this matter. The payment of annates, considered as a tax which an ecclesiastic, and especially a bishop, was bound to pay at his ordination, to the party who



ordained or consecrated him, may be traced to the beginning of the fifth century. It appears, from the Life of Chrysostom, that Antoninus, metropolitan of Ephesus, had already in his time established a tax to be paid to him by all bishops whom he consecrated, and that it was assessed according to the value of their revenues. Chrysostom abrogated this tax, and the Council of Chalcedon, in one of its canons, declared it to be pure simony when anything was given or received for ordination.\* The bishops soon, however, put another appearance upon the matter, and made payment of those fees so regular and customary that the emperor Justinian found himself obliged to rest satisfied with merely moderating it, and restraining it within certain limits.† In the Latin Church the matter took the same course. In 595, Gregory I., in a council at Rome, most strictly prohibited any kind of payment for the ordination of bishops or other clergy, and called upon all princes and bishops to look well to the observance of this decree. In 829, a council at Paris opposed the same abuse. But Ivo of Chartres declares that, at the end of the eleventh century, it was prevalent at Rome. And from a canonist of the latter half of the thirteenth century we learn that, at that period, such consecration cost the whole of one year's revenues,—that a part of the fees payable on such occasions was designated “annates,”—and that this portion was divided between the pope and the cardinals. He says, also, that great complaints were made concerning this practice in the time of Alexander II. Hence it appears that before the time of John XXII. there was such a payment

\* Conc. Chalced. can. 2.

† Nov. 123, c. 33.

as that of annates; but that the title was restricted to a certain portion only of the fees payable at the consecration of a bishop. In 1318, however, John, by a special constitution, reserved to the pope the amount of one year's revenue from all benefices not elective, and so from all prebends, chaplaincies, and parish churches, under the name of annates, supporting his enactment by the plea that the wants of the Church made such contribution necessary (*pro necessitatibus ecclesiæ Romanæ*). This, therefore, was, in effect, to a great extent, a new impost, under a name which had already been in use to denote something else. John appointed this reservation at first for only three years, but he afterwards continued it, and his successors made it permanent; and Boniface IX., in 1392, extended it to all benefices, elective as well as non-elective,—that is to say, to bishoprics and the like, as well as to inferior appointments. The annates were fixed in the books of the Romish treasury for every benefice, extending to something less than the value of one year's income.

Besides the annates, there were still certain fees for consecration or confirmation in an office, payable at Rome (*servitia communia, et minuta*), which went partly to the cardinals (*servitia communia*), and partly to the inferior officers (*servitia minuta*).

In 1470, Paul II. discovered that there were certain benefices which had escaped the observation of his predecessors, and were still untaxed, consisting of such as had gradually grown up in connection with monasteries, hospitals, and similar institutions. This pontiff caused a calculation to be made how often these benefices would be vacant if they were unconnected with such institutions; and as this was

thought likely to take place, on an average, once in fifteen years, the pope ordered the revenue of every fifteenth year to be paid into the papal treasury, in lieu of annates (*quindena*). Until the end of the eighteenth century, this payment was always exacted, except when provision to the contrary was made by some special compact.

Such were the principal and regular imposts upon Church property by which the Roman treasury was replenished. Other methods were occasionally employed. Such were the "*fructus medii temporis*," or revenues which accrued during a vacancy, and the "*fructus male percepti*," revenues received by incumbents who were afterwards pronounced by the popes not to be legitimate. Thus, in 1403, Benedict XIII. made it the first condition of his reconciliation with the French, who had withdrawn themselves from his obedience for the space of three years, that the amount of the whole ecclesiastical revenues of these three years, throughout the kingdom, should be paid to him, as being "*fructus male percepti*," the occupiers of all benefices during these three years having been in a state of schism, and not qualified to receive the incomes of Church property.

As early as the twelfth century, temporal sovereigns had claimed the right of inheriting the property of all deceased bishops and abbots (*jus spoli*, *jus exuviarum*); but the popes did not rest until, at the beginning of the thirteenth century, they had extorted this source of revenue, at least from the emperors.\* Throughout the thirteenth century, the ecclesiastical property of bishops, abbots, and other beneficed clergy, was appropriated to the collegiate body to which the

\* Thomaassin, part. iii. liv. ii. c. 51—54.

deceased belonged, or to his successor. But after the middle of the fourteenth century, the popes sent officials and collectors into every province, charged with the task of transferring to the papal treasury all the personal effects of deceased clergymen, before the appointment of their successors. This proceeding was altogether without law or precedent; but these collectors met with no opposition until the beginning of the next century, at least in Germany and France. About this period, however, they began to attack even the real property of deceased ecclesiastics, to the injury of the heirs at law; and this act of rapacity gave rise to loud complaints. In some places the civil power began to interpose. Rome, however, did not abandon the cause; and in 1487, the pope threatened an archbishop of Salzburg with deposition, because he had refused to hand over to his collectors the “*spolia*” of his predecessors.

Other sources of profit to the papal treasury, and of injury to the Church,—the more disgraceful to the papacy, because the amount of profit derived from them was comparatively small, while the detriment to the Church was exceedingly great,—consisted in the system of commendams, unions, and incorporations.

As early as the eighth and ninth centuries, bishoprics and abbeys were sometimes commended to laymen,—*i. e.*, under the form of commendation, the revenues of those benefices were made over to them. But these abuses had always been protested against. These commendams were declared illegal by several councils; and they gradually fell into desuetude during the eleventh and twelfth centuries.\* About the same time, a legal system of commendation was established,

\* Thomassin, part. ii. liv. iii. c. 10—13, 16—18.

which was innocuous, or even useful; consisting of a provision whereby, when the patron of a benefice could not for some reason or other fill it up on occasion of a vacancy, the immediate superior was authorised to provide a temporary incumbent who should discharge the duties of the post. During the fourteenth century, however, the popes found that they could work this system to the advantage of their treasury. It often happened that some party who offered at Rome a good price for a vacant benefice was not canonically qualified to hold it: in order not to lose the sale, and at the same time to elude the force of the disqualifying canon (*e. g.*, when a father wished to purchase a valuable living for his son, six or seven years old), the Roman curialist had now recourse to the system of commendation. It was found that parties could hold—*i. e.*, receive the revenues of—one or more benefices in commendam, which they could not hold as regular incumbents. By this means the laws of the Church were often most insolently set aside. But the papacy knew no shame, and the abuse prevailed; only we find that, in 1307, Clement, conscience-stricken, revoked all commendams which he had granted, except those which had been made to cardinals.\* As late as under John XXII. these commendams were usually granted only for a limited period of time,—as when one was granted to a minor, to be held as such only until he came of age for ordination, when it was provided that he should be ordained, and hold the benefice regularly. But the immediate successors of John began to grant commendams for life, and they gave away even bishopries in this manner.

\* Raynald. an. 1307, n. 28.

It was an old practice for bishops, after a war, pestilence, inundation, or other public calamity, when a parish had become too small or poor to support its own incumbent, to unite it to some neighbouring parish, and thus to make two benefices into one. Sometimes a provincial council united even two sees in this manner. In the twelfth and thirteenth centuries it often happened that such unions were effected for the benefit of monasteries, hospitals, or other religious institutions; and even by this means a door was opened to many inconveniences and abuses. Afterwards, however, such unions began to be effected in favour of individuals, in order to elude the force of laws directed against pluralities, non-residence, and want of personal qualification. Thus, a child was not qualified to hold a “*beneficium curatum*,” *i. e.* a living with cure of souls; but when this was united or annexed to a “*beneficium simplex*,” *i. e.* without cure of souls, such as a stall in a cathedral, it sufficed to bestow upon the child the latter benefice, which he could hold, and this drew after it the other as of course.

Sometimes several sees were incorporated in favour of a powerful prelate, or one who had loudly complained of the payments required of him at Rome in the shape of annates or other dues. Thus Baldwin, archbishop of Treves (1307-1354), held two or three bishoprics on the Rhine together with his archbishopric. Sometimes also rich abbeys were incorporated with bishoprics.

At the very commencement of the fourteenth century there was scarcely a single spiritual community or college, hardly a monastery or religious foundation of any importance, which had not already been with-

drawn by the pope from the jurisdiction of its diocesan bishop, and declared exempt. The popes of the present period found therefore little opportunity of filling their coffers by granting new exemptions. But, while this system could not be pushed to a much greater extent than formerly, its oppressiveness, and the mischief it involved, began to be now severely felt. The insolence and insubordination of exempt monasteries, and the like, towards those who were still their ordinary superiors, were excessive; for it was generally felt that, in a contest between an exempt body and its diocesan, the pope would pretty surely decide in favour of the former.

In 1300 Boniface published a bull,\* proclaiming a year of universal Jubilee, and promising a plenary indulgence to all pilgrims to Rome who should visit certain churches and holy places of that place in a prescribed manner. On this occasion the concourse of pilgrims to Rome was immense; Villani computes them at two hundred thousand. They left large sums of money behind them; and so gainful was this visit to the papal city that the next jubilee was fixed by Clement V. for 1350.† The next was held in 1390, having been proclaimed by Urban VI. in 1389. The pope in 1390 was Boniface IX., who now proclaimed that all the benefits of the jubilee should belong to those who should perform certain devotions in a neighbouring church, during a specified time, provided that they should pay to the papal receiver or collector the sum, or at least one-third of the sum, of money which they would have expended on their journey to Rome. Boniface IX. proclaimed another jubilee for

\* Raynald. an. 1300, n. 1.

† Ibid. 1343, n. 11; an. 1350, n. 1—4.

A. D. 1400 ; Martin V. for 1423 ; Nicholas V. for 1450 ; and Paul II. ordained, in 1470, that a jubilee should be celebrated every twenty-five years, since otherwise, considering the shortness of human life, and the frequently occurring calamities of pestilence, war, and the like, only very few Christians could enjoy the benefits of a jubilee-indulgence.\* By this means large sums of money were collected for Rome and the papal treasury ; but the greatest possible injury was inflicted upon the cause of religion and morality.

All these things being considered, it is not surprising that before the end of the fifteenth century the papacy had become exceeding unpopular, even if regarded simply as a system of wholesale exaction and plunder. Other circumstances also contributed to make impressions upon the public mind unfavourable to the pretensions of Rome.

The Universities, many of which were founded in the course of the fourteenth century, were at first highly favoured by the popes, and contributed not a little to establish the power of the Roman see by the study and explanation of the canon law ; but, in no great space of time, these seats of learning became sources of weakness to the papacy rather than of strength, by the advancement of intellectual culture, and the necessary development of a state of independence, at variance with the papal system of despotic dogmatism and unscriptural pretensions.

The Mendicant orders which, at the time of their establishment, were powerful auxiliaries to the papacy, became to it, before the close of this period, a source of perplexity and weakness. A great schism having arisen among the Franciscans, consequent upon dis-

\* Raynald. an. 1450, n. 4 : an. 1470, n. 55.



putes respecting the more or less strict observance of their rules, the popes at first endeavoured to mediate between the two conflicting parties ; but at length, the papacy, being evidently inclined to favour the more moderate section, drew down upon itself the indignation and opposition of the more strict or extreme Fratricelli, and thus found everywhere a number of men, in high credit with the populace, ready and eager to expose and denounce its abuses, and to assist in augmenting the general clamour for reform.

We have already taken notice of the formidable opposition of Wickliffe, who not only denied the pretended divine right of the papal supremacy, but, by his exposition of the nature and rights of the Church, and especially by his appeals to Scripture, did much towards shaking the foundations of the whole papal system.

The great Schism which existed in the papacy from 1378 to the Council of Constance, during which one pope was continually hurling anathemas against another, while the burden of papal exactions was becoming more intolerable than ever in all the countries of Europe, tended greatly to arouse a spirit of inquiry, and to alienate men's minds from the seat and origin of such manifold mischief. And this feeling was doubtless aggravated by the failure of successive attempts to carry those measures of reformation which were obviously needed.

Still, when the Councils of Constance and Basle met, under all these favourable circumstances, they missed the right starting-point from which they ought to have set out in the work of reformation. They regarded the evils of the Church as proceeding only from an abuse of papal power ; and their great object

was to set limits to that power, and to restrain its abuse. Even the Council of Basle desired still to recognise the supreme power in the Church, or the complete fulness of ecclesiastical power, as committed to the pope alone by God ; and,—although it did not regard it as a necessary consequence that the pope was, properly speaking, the only ordinary in the Church, and that all other ecclesiastical power was derived from him, and all other bishops only his representatives and delegates in their several districts,—still it did not hesitate to concede to the pope all the rights of an universal episcopate. It may be doubted whether the council intended actually to leave these rights in the hands of the pope ; indeed, several of its acts, and more of its explanations, appear to favour the contrary supposition, especially when it declared that the pope was to be regarded only as the “ *caput ministeriale*,”—the ministering head,—of the Church. The truth is that the council had not formed a distinct idea on this subject ; and hence came much that was inconsistent and contradictory in its acts, without its being aware of the incongruity. It was obviously the design of this council to restore the papacy as nearly as possible to its status under Innocent III. Only in one respect it maintained a great ante-Isidorian principle, by affirming the superiority of a General Council to the pope, and therefore also the validity of appeals from the pope to such council. But this again was inconsistent with the principles of many of the decretals, the authority of which it at the same time recognised.—The council was misled principally by its blind respect for the canon law,—a system which had taken complete hold on the minds of men during two centuries, and with which was bound up the reputation and very

existence of the doctors and graduates of all the universities, who possessed great influence in the council. There were also other classes of men whose interests required that the existing relations of the pope to the Church should not be entirely destroyed, and even that the abuses of papal power should not be altogether removed. Hence it was that the council not only did so much less than was required, but that even what it did was done imperfectly and by halves. The bishops and other high ecclesiastics were persuaded that it was for the benefit of the Church and of churchmen (such as themselves) that the Church should have a head possessing greater powers than temporal princes, against whom he might be able to protect them.

The temporal princes also felt it to be to their interest that the power of the pope should not be brought too low, since they had often found it useful to deal with the Church in their several countries through its sovereign head ; as when the pope granted them tenths of the whole ecclesiastical revenues of their realms, which otherwise they would not have been able so easily to levy. And many of them, especially the lesser princes of Germany and Italy, had also found it more easy to obtain bishoprics and abbeys for their younger sons and other members of their families as a grant from the popes than by way of election from the chapters. There is no room for doubt that the princes of that age were influenced by considerations such as these.

Besides this, it is to be remembered that all these abuses were, either in fact or in appearance, connected with some real or fancied good, and that they often appeared in the light of necessary evils, or as the lesser of two evils. Thus, annates were supposed to

be necessary, in order to maintain the necessarily large expenses of the papal court. If judicial proceedings at Rome were troublesome and expensive, still it was considered a good thing that such an ultimate court of appeal should exist; and the courts of law in the several countries of Europe were also expensive and corrupt, especially the ecclesiastical courts of bishops and metropolitans. Even the system of papal provisions and reservations was not unattended with its own advantages. Often, perhaps for the most part, benefices did not fall into worse hands in the Roman market, than those into which they would have come if this patronage had been more regularly exercised at home; and sometimes the court of Rome made use of its power to reward merit, and to promote suitable and worthy men. The chapters, it should be borne in mind, were close corporations, usually in the hands of the aristocracy; and all their ecclesiastical patronage, if undisturbed, would soon have come to be regarded as the patrimony of a few great families: but by the strangers introduced from Rome this bond of family aristocracy was, in a great measure, broken,—men of talent and reputation were brought into these select circles, who would otherwise never have found their way into them,—and thus an aristocracy of learning was at all events made to mingle with the aristocracy of rank. So that the papal interference was thus felt to serve in many cases as a valuable corrective.

Hence it was not so much against the papal supremacy itself as against the abuses connected with the administration of that supremacy that the efforts of reformers in this age were directed. But, as long as this supremacy was conceded, the popes could always

find means of administering it according to their will; and therefore it was found possible on their part even to annul the whole work of the Council of Basle. It was necessary that reform should be effected in quite another way.

The dawn of a real reformation, however, had begun. Wycliffe and Huss, although themselves not fully aware of the worst grievances of the Church and the way to procure redress, were yet the forerunners of Luther. Respect to the rights of individual conscience, and regard to the supreme authority of the word of God in matters of Christian faith and practice, soon led to an extensive discovery and explosion of the gross superstitions and errors upon which the papacy had been founded; and, by God's blessing, the Church was, in great measure, rescued from the bondage of Rome and restored to the liberty of the Gospel.

On this new field of history, in which the hand of God was so visibly displayed, accomplishing a Divine work by a chosen instrumentality, we do not propose to enter. But in order to represent in few words the blow which had thus been inflicted on the papacy, and the work which still remained to be accomplished, I refer, in conclusion, to the following passage from the work of a modern historian,\* which is well worthy of attention, as being at once enlightened and earnest, and especially as having a strong practical bearing upon a question of no small importance:—

“ Though the pretensions of the popes, from the time of Nicholas to the present bishop of Rome, have never ceased, those pretensions have never been so fully regarded by the princes and kings of Europe since the great Schism, as they were before it took

\* Townsend, Ecclesiastical and Civil History, book iii. chap. 11.

place. The great Schism had the same effect on the influence of the papacy, as the war between James II. and William III. produced on the monarchy of England. Though war maintained the monarchy, it destroyed despotism, and strengthened the influence of the people. The popular power, which had uniformly, in all ages of the English government, been opposed to the undefined pretensions of arbitrary princes, or of unreasonable laws, had hitherto wasted its strength in temporary oppositions, or in civil war. The Revolution of 1688 gave the more solemn sanction of public law to the power of the people. It defined their privileges more clearly. It limited the authority of the sovereign more effectually; and, —while it utterly overthrew and destroyed, we may hope for ever, the legality of the intolerable maxim which characterises alike the presumption both of the legitimate or the usurping despot, and which was alike common to the Stuarts, to Louis XIV., and to Napoleon, the maxim that the individual sovereign is the State (*l'état, c'est moi*),—it so nearly defined the ever-undefinable boundaries between the liberties of the people and the prerogatives of the prince, that we have seldom or ever been in danger of the revival of the old doctrine of ‘The right divine of kings to govern wrong.’ So it has also been with the great Schism. The wars between the rival candidates for the papal chair compelled the more general conviction that, of whatever nature was the supremacy which our blessed Saviour might possibly have conferred upon the pope and his successors, that supremacy could not be limited to the individual bishop. The great Schism strengthened ecclesiastical power, by destroying the despotism of the papacy. The op-

position to Rome, which, before the age of Wycliffe, had manifested itself in irregular censures only, assumed the more definite form of a demand for ecclesiastical councils, to act with the bishop of Rome, in forming laws, and regulating the affairs of the Church. The consequence was that, as the popular power became blended with the monarchical power at the Revolution, so the ecclesiastical power became blended with the papal power. As the individual king ceased despotically to govern England, the individual pope ceased despotically to govern the universal Church. As the united popular monarchical power at the Revolution passed many questionable laws, and provoked much resistance on the part of the people from the reign of William III. till the present day, so the ecclesiastical power of the universal Church, though it crushed the Gregorian policy and power by decreeing that the councils of the Church had an authority which was so inherent in the universal Church that it was indestructible by the pope, came to many conclusions which Scripture did not sanction. The Reformation itself was not so much the emancipation of the universal Church from the despotism of Rome, as it was the emancipation of the universal Church from the ecclesiastical despotism of which the papacy was the head. The Church universal, by resolving to be ruled by the decisions of councils, as well as by the laws of the popes, overthrew the Gregorian power; but Luther and the high-minded Reformers of England and Germany overthrew the despotism of the conciliar power itself, by restoring to every individual Christian the privilege, which God had granted to him, of arriving at religious conclusions from the study of their evidence, as soon as educa-

tion, and the power of reason, had conferred upon the individual the ability to exercise that first, noblest, and most invaluable of all privileges in this life which an immortal soul can possess. The ultimate effect of the great Schism, was to destroy Gregorianism, or papal despotism. The ultimate effect of the Reformation was to destroy ecclesiastical despotism. Wycliffe accomplished the first; Luther the second. The word 'popery,' as a general term, describes both systems which were thus overthrown . . . . These reflections on the great Schism will enable us to reconcile the extreme opinions of reformed and unreformed writers. 'Never,' says one of the principal Romish historians, 'was the unity of the see of Rome better preserved than during this Schism.' 'The grand Schism,' says Dean Waddington, on the other hand, 'frittered away the power of the papacy.' The unity of the see of Rome was for a time preserved, but its authority, though not its pretensions, ceased to be Gregorian. The power of the papacy was continued, but its uncontrolled despotism was destroyed. Many ages had contributed to its growth; many ages must contribute to its fall. The Christian only wishes to destroy both papal and ecclesiastical tyranny. He neither wishes to destroy the bishops of Rome, nor the bishops of Christendom, nor the useful discipline ordained by Scripture, sanctioned by antiquity, and essential to the peace and order of every Christian Church."



I append the following remarks of Gieseler\* concerning the general condition of the papacy at the beginning of the sixteenth century:—

“ By means of the reforming Councils at Constance and Basle, in opposition to the doctrine of the pope’s universal monarchy which had been hitherto maintained, the other theory of the limitation of the papacy by the ecclesiastical aristocracy, which had already reached its full growth in France, obtained full recognition in the Church. The controversy betwixt these two systems was waged incessantly from this time onward. General Council was raised up against General Council, author against author. . . .

“ The chief principles of the newly-risen monarchical-aristocratic system are these:—That the secular power is not dependent upon the ecclesiastical;—that the supreme and legislating sovereignty in the Church belongs to General Councils alone, to which the greater number of the theologians of this party assigned at the same time infallibility;—that the pope, being subordinate to them, was no more than a *caput ministeriale ecclesiæ*, and not authorised to give laws to the Church;—and that appeals might be made to a General Council;—that the episcopal power did not finally rest upon the papal power, but shared with it the same foundation. Although the reasons in defence of this theory were principally drawn from the earlier ecclesiastical laws, which were still preserved in the collection of statutes in force, still, as the consideration of these might easily have led men on to widely-extended historical researches, its champions took their ground almost exclusively upon the dogmatical-scholastic platform. Undoubtedly, individuals had attained, by the help of the newly-awakened knowledge of antiquity, to deeper insight into history. The fraud of the Pseudo-Isidore, and the spuriousness of the grant of Constantine, were known to many, and the latter publicly announced by Laurentius Valla. However, these discoveries were neither as yet made public

\* Gieseler, *Compendium of Ecclesiastical History*, Third Period, Div. 5, § 136. Edinburgh transl.

property, nor used by the liberal canonists for their own advantage ; and so the weapons of history most fatal to the papacy were not yet directed against it with any effect.

“Against this new monarchic-aristocratical system, which had grown up especially in France, and was regarded and defended as the groundwork of all Church freedom, the ancient papal system under the protection of the pope found no less decided champions, principally in Italy, among the throng of men who were bound to the Curia partly by favours received, partly by their hopes ; roused by opposition, they maintained this system in its most unmitigated form, and without any fear for its most obnoxious results. According to them, the pope’s authority was exalted immeasurably high over every other dignity on earth ; the pope was supreme above all princes, as well as the source and the perpetual dispenser of all episcopal power ; he stood above all councils, which derived their authority from him alone ; he was the lawgiver on points of faith, and infallible. The excitement of controversy and mean flattery advanced so far that many persons elevated the *Donatio Constantini*,—proved by *Laurentius Valla* to be a falsehood,—to a *Restitutio*, and the pope to be a god upon earth.

“Each of these systems declared the opposite view to be a pernicious error ; but the imminent danger of an irremediable schism hindered these condemnations from being vindicated to the utmost. A peculiar embarrassment was prepared for the popes by the fact that they were obliged to regard the Council of Constance as œcumenical, in order to prove the validity of their own succession ; while they were nevertheless compelled to reject its fundamental principles, which were the groundwork of the Gallican system. For this reason they most readily passed over the unpleasant decrees of Constance in silence ; if they were forced to speak, they helped themselves out with a version of their own : many of their adherents did not shrink from a downright denial of their validity.

“Whilst this controversy took root in the hierarchy, the

secular power regained its ascendancy in the different countries, from the fact that it principally depended upon this power which system should prevail. But the temporal governments allowed themselves to be principally swayed by political influences in their demeanour towards the pope. Whilst in France the principles of the papal system, if ever they preponderated, were immediately condemned by the Parliament and the University of Paris, in other countries the same fate befel the opposite doctrines of the Gallican system. And if, from the side of France and Germany, humiliating demands were not unfrequently made upon the popes, Spain and Portugal found it advantageous to their own interests to allow themselves to receive from Rome, as their peculiar property, the countries which had been conquered, and for the most part newly discovered, by themselves, and thereby to concede to the papal see its loftiest pretensions. On the whole, then, the pope, both by his spiritual sway over men's minds, and his temporal dominions in Italy, at that time the apple of discord betwixt the most powerful monarchs, was of so great importance that all princes necessarily attached great value to his friendship, and that even a king of France was ready to sacrifice for it the welfare of his national church. These political connections now constituted the strongest hold of the papal see; and so it became the aim of papal policy to win over the support of the princes of the world against the encroachments of the ecclesiastical aristocracy. True, the devotion of the nations to the papal see now rested no longer, as of old in the period of the Crusades, upon religious enthusiasm, but only, for some time past, upon habit. However, even this would hardly have been destroyed by any theories, had not the immorality of the Curia, their avarice, their venality and injustice, so greatly injured the commonweal, and outraged public morality. The more closely any nation was brought into connection with the customs of the popes and their Court, the lower sank their feeling of reverence towards the pope; and in Italy, although the papal system seemed to reign there supreme,

nevertheless the pope's excommunication was least regarded. Accordingly, their most faithful counsellors recommended to the popes an abatement of their oppressions and a reform of the abuses prevailing at their Court; and throughout the whole fifteenth century a strong feeling was displayed that unless there were some alterations on these points, spreading downwards from the highest rank, there would be a compulsory reformation rising upward from below, not effected without violence and schism. But, at the same time, the conviction that Rome would not undertake of herself so great a reformation, and that neither the ecclesiastical aristocracy nor the temporal princes would be able to enforce it, from the want of union among themselves, was firmly established by the events of this period."

THE END.

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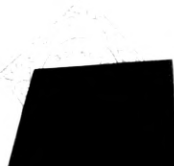




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